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URBAN
MUNICIPAL

BY-LAWS OF THE CITY OF
HAMILTON

03-001...

Bill No. 001

**CITY OF HAMILTON
BY-LAW NO. 03-001
To Amend By-law No. 01-215
Being a By-law To Regulate Traffic**

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

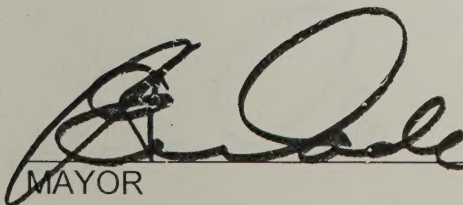
AND WHEREAS it is necessary to amend By-law No. 01-215;

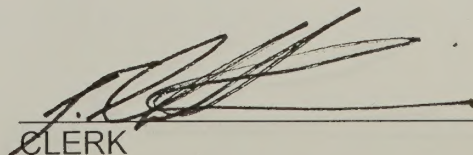
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 5 (Stop Signs) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "E" thereof the following item, namely:

"Avondale Northbound and Southbound Mons"
2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and ENACTED this 8th day of January, 2003


MAYOR


CLERK

Bill No. 002

CITY OF HAMILTON
BY-LAW NO. 03-002
To Amend By-law No. 01-215
Being a By-law To Regulate Traffic

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

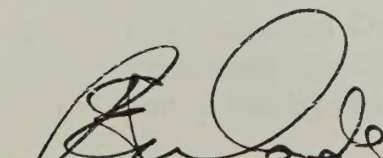
AND WHEREAS it is necessary to amend By-law No. 01-215;

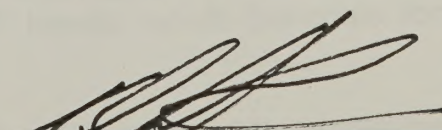
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 5 (Stop Signs) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "E" thereof the following item, namely:

"Mount Pleasant	Eastbound Westbound	Pearson"
		(north intersection)
2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and ENACTED this 8th day of January, 2003


MAYOR


CLERK

City of Hamilton

BY-LAW NO. 03-003

Being a By-law to impose a sewer rate under Section 221 of the Municipal Act, R.S.O. 1990, Chapter M.45 upon owners or occupants of land abutting a section of Binbrook Road in the City of Hamilton.

WHEREAS a developer, Rob-Geof Construction Limited, in satisfaction of terms and conditions of the Subdivision Agreement dated August 9, 2000, for a development known as Southbrook on the Green, Phase 1, did construct a sanitary sewer system on land abutting Binbrook Road from approximately 40 metres east of Highway No. 56 to approximately 275 metres east of Highway No. 56, in the City of Hamilton, hereinafter referred to as the "Sewer Works".

AND WHEREAS the Council of the City of Hamilton authorized the repayment of costs to the developer pursuant to the terms and conditions of the said Subdivision Agreement, by approving Item 22 of Committee of the Whole Report 01-021 on June 26, 2001;

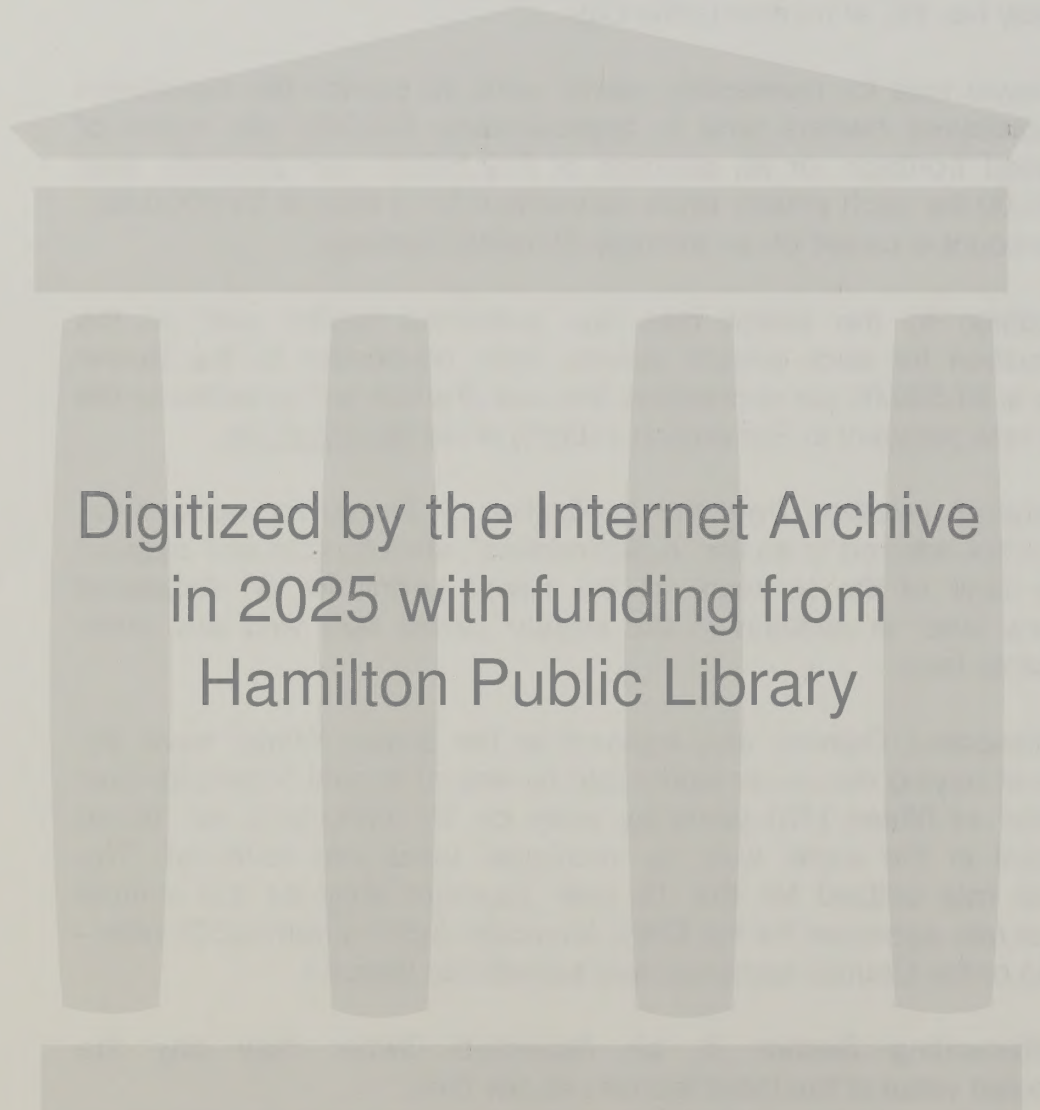
AND WHEREAS at the said meeting of June 26, 2001 the Council also authorized the full cost recovery of the capital costs for the Sewer Works by way of Section 221 of the Municipal Act by imposing a sewer rate upon the owners of land who derive, will derive, or may derive a benefit from the Sewer Works and full recovery of the capital costs for each service drain connection pursuant to Subsection 210(85) of the Municipal Act.

AND WHEREAS at the time of the passage of this By-law, the estimated capital costs of the Sewer Works is \$200,000.00 and the estimated capital cost of the construction for the service drain connections is \$75,000.00 totalling an estimated cost of \$275,000.00;

NOW THEREFORE, the Council of the City of Hamilton enacts as follows:

1. A sewer rate is hereby imposed, pursuant to Section 221(2) of the Municipal Act, as amended, upon the owners of land who derive, will derive or may derive a benefit from the construction of the sewage works, hereinafter referred to as "Assessed Owners".
2. The Assessed Owners' lands and the estimated sewer rate are more particularly described in Schedule "A" hereto, which Schedule forms part of this By-law.
3. The Assessed Owners consist of seventeen (17) single-family residential properties.

4. In addition, that the owner of lands, west of the limits of the sewer works, and on the north side of Binbrook Road, adjacent to the sewer works, each, enter into a Service Agreement with the City of Hamilton, to the satisfaction of the General Manager, Planning and Development Department, in order to service their lands east and west of former Highway No. 56, at no cost to the City.
5. The sewer rate for connecting sewer work, to service the seventeen (17) assessed owners land is approximately \$420.00 per metre of assessed frontage, or an average of \$12,500.00 per property, plus \$4,500.00 for each private drain connection for a total of \$17,000.00. This amount is based on an average 30 metre frontage.
6. In addition to the sewer rate, the estimated capital cost of the construction for each private service drain connection to the Sewer Works is \$4,500.00 per connection; the cost of which will be added to the sewer rate pursuant to Subsection 210(85) of the Municipal Act.
7. The charge resulting from the application of the sewer works rate, hereinafter referred to as the "Indebtedness", shall be due and payable at the time of the issuance of the sewer permit for an Assessed Owner's land, in addition to the regular permit fees and any other applicable fees.
8. The Assessed Owners who connect to the Sewer Works have the option of paying the sewer works rate by way of annual payments over a period of fifteen (15) years by entry on the collector's roll, to be collected in the same way, as municipal taxes are collected. The interest rate utilized for the 15 year payment shall be the annual interest rate approved for the City's Municipal Act Program (2001 rate – 6.50%) or the Council approved rate substituted therefor.
9. Notwithstanding Section 8, an Assessed Owner may pay the commuted value of the Indebtedness at any time.
10. The sewer works rate shall be indexed annually in accordance with the percentage change in the composite Canadata Construction Cost Index (Ontario Series), commencing one year from the date of the passage of this By-law.
11. The sewer works rate and the resulting Indebtedness imposed by this By-law shall be a lien and charge upon the Assessed Owner's lands and, if the Indebtedness, or any portion thereof, remains unpaid after the due date established in section 5 or section 6 herein, the unpaid amount may be entered on the collector's roll and collected in the same manner as municipal taxes.



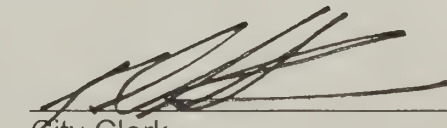
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<https://archive.org/details/32022213348622>

12. If the Assessed Owner severs or subdivides his or her parcel of land, then the remaining balance of the Indebtedness owed to the City, whether the subject land is connected to the Sewer Works or not, shall be paid to the City as a condition of severance or subdivision approval.
13. The developer, Rob-Geof Construction Limited, upon satisfying the City that it has completed their obligations with respect to the construction of the Sewer Works for the Assessed Owners' lands, shall receive repayment of the relevant costs pursuant to the terms and conditions of the said Agreements, the terms outlined herein and as authorized by the Council of the City of Hamilton.
14. That the City of Hamilton impose a 5% administration fee to the total cost of the Municipal Act recoveries from each rateable property and that the fee be shared equally between the Finance and Corporate Services Department and the Planning and Development Department.
15. If any provision or requirement of this By-law, or the application thereof to any person or land shall to any extent be held to be invalid or unenforceable by any court of competent jurisdiction, the remainder of this By-law, or the application of such provisions or requirements to all persons and lands other than those in respect of whom it is held to be invalid or unenforceable, shall not be affected thereby and each provision and requirement of this By-law shall be separately valid and enforceable.
16. This By-law shall come into force and take effect on the day following the date of its passing and enactment.

PASSED and ENACTED this 8th day of January, 2003.



Mayor

City Clerk

SCHEDULE - A - TO BY-LAW NO. 03-003

DESCRIPTION: ESTIMATED COST: \$ 275,000.00
 ESTIMATED COST PER METRE FRONTAGE TO OWNER: \$ 470.43
 LOCATION: BINBROOK ROAD FROM APPROXIMATELY 40 METRES EAST OF HIGHWAY NO. 56 TO APPROXIMATELY 275 METRES EAST OF HIGHWAY NO. 56, IN THE CITY OF HAMILTON

The specially assessed rate imposed on benefitting property owners may be paid in one lump sum amount (column 6) or be financed and paid in (15) fifteen annual consecutive instalments commencing the year in which the project is closed and rated. The amount financed over fifteen years will be at an interest rate to be determined by the Region.

1	2	3	4	5	6	7
ASSESSMENT ROLL NUMBER	DESCRIPTION OF LANDS	FRONTAGE OF ABUTTING LAND METRES	EXEMPT FRONTAGE METRES	FRONTAGE SUBJECT TO RATE METRES	ESTIMATED LUMP SUM CASH PAYMENT \$	ASSESSED OWNER
GL 100 310 66600	CON 3 BLK 3 PTLT 5	15.84	.00	15.84	7,451.61	ILA & MARVIN LAIDMAN
GL 100 310 66800	CON 3 BLK 3 PTLT 5	24.38	.00	24.38	11,469.08	MANFRED & ISABELLA LAUSZUS
GL 100 310 67000	CON 3 BLK 3 PTLT 5	24.38	.00	24.38	11,469.08	ROGER JACKSON
GL 100 310 67200	CON 3 BLK 3 PTLT5	40.84	.00	40.84	19,212.36	PHILIP RASMUSSEN
GL 100 310 67400	CON 3 BLK 3 PTLT 5	15.24	.00	15.24	7,169.35	LINDA DIXON
GL 100 310 67600	CON 3 BLK 3 PTLT5	30.48	.00	30.48	14,338.71	FRANK HUSKINS & TRACY ROWE-HUSKINS
GL 100 310 67800	CON 3 BLK 3 PTLT 5	19.20	.00	19.20	9,032.26	RONALD & ELLEN DAVIDSON
GL 100 310 68000	CON 3 BLK 3 PTLT5	24.14	.00	24.14	11,356.18	GARY & BRENDA BARTKIEWICZ
GL 100 310 68200	CON 3 BLK 3 PTLT 5	23.87	.00	23.87	11,229.16	JOE & BERTA ALDERWOOD
GL 100 310 68400	CON 3 BLK 3 PTLT 5	19.81	.00	19.81	9,319.22	THOMAS MARTIN
GL 100 310 68600	CON3 BLK3 PT LT5 62R3109 PT 1	25.28	.00	25.28	11,892.47	TOWNSHIP OF GLANBROOK
GL 100 410 46600	CON 4 BLK 3 PTLT 5	19.66	.00	19.66	9,248.65	REALTY TAXATION
GL 100 410 47000	CON 4 BLK 3 PTLT5	35.15	.00	35.15	16,535.61	ROBERT EBBERS
GL 100 410 47200	CON 4 BLK PTLT 5	21.08	.00	21.08	9,916.66	RALPH & MARY HILLGARTNER
GL 100 410 47400	CON 4 BLK 3 PTLT 5	17.83	.00	17.83	8,387.77	WILFRED & LINDA WILSON
GL 100 410 47600	CON 4 BLK 3 PTLT 5	17.83	.00	17.83	8,387.77	BARRY FLETCHER
GL 100 410 47800	CON 4 BLK 3 PTLT 5	19.36	.00	19.36	9,107.52	JAMES & SHELAGH TIPLER
GL 100 410 48000	CON 4 BLK 3 PTLT5	30.48	.00	30.48	14,338.71	BINBROOK UNITED CHURCH

GL 100 410 48200	CON 4 BLK 3 PTLT 5	43.32	.00	43.32	20,379.03	BINBROOK UNITED CHURCH
GL 100 410 48400	CON 4 BLK 3 PTLT 5	44.66	.00	44.66	21,009.40	ROB-GEOF PROPERTIES LTD.

TOTAL

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512.83	512.83	241,250.62
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CITY OF HAMILTON

BY-LAW NO. 03-004

BEING A BY-LAW TO STOP UP, CLOSE AND SELL AN UNASSUMED PORTION OF BEACH BOULEVARD, ESTABLISHED BY REGISTERED PLANS 658 AND 862, GEOGRAPHIC TOWNSHIP OF SALT FLEET, FORMERLY IN THE CITY OF STONEY CREEK, NOW IN THE CITY OF HAMILTON, DESIGNATED AS PART 1 ON REFERENCE PLAN 62R-15422, SAVING AND RESERVING AN EASEMENT FOR THE CITY OF HAMILTON OVER PART 2 ON REFERENCE PLAN 62R-16116, FORMERLY IN THE CITY OF STONEY CREEK, NOW IN THE CITY OF HAMILTON

WHEREAS the Council of the City of Hamilton is empowered under Section 297(1) of the Municipal Act, R.S.O. 1990, Chap. M. 45 as amended, to establish and lay out, widen, alter, divert, stop-up, lease, close, sell or retain any highway or part of a highway;

AND WHEREAS the Council of the City of Hamilton in adopting Item 9.1 of the Minutes of the Hamilton City Council meeting held August 14, 2002, authorized that steps be commenced:

- a) Pursuant to the Registry Act, R.S.O. 1990, Chap. R.20, as amended, for a Judge's Order to close that unassumed portion of Beach Boulevard described as Part of Lot 19, Concession 2, Part of Beach Boulevard, Registered Plan 658 and Part of Beach Boulevard, Registered Plan 862, more particularly described as Part 1 on Registered Reference Plan 62R-15422, subject to an easement to be reserved in favour of the City of Hamilton, more particularly described as Part 2 on Registered Reference Plan 62R-16116;
- b) Pursuant to the Municipal Act for the stopping up, closure and sale by by-law of that unassumed portion of Beach Boulevard described as Part of Lot 19, Concession 2, Part of Beach Boulevard, Registered Plan 658 and Part of Beach Boulevard, Registered Plan 862, more particularly described as Part 1 on Registered Reference Plan 62R-15422, subject to an easement to be reserved in favour of the City of Hamilton, more particularly described as Part 2 on Registered Reference Plan 62R-16116;

AND WHEREAS a Judge's Order was issued and registered on title on December 17, 2002 as Instrument No. WE136571 to close the unassumed

portion of Beach Boulevard on Registered Plans 658 and 862, more particularly described as Part 1 on Reference Plan 62R-15422;

AND WHEREAS a further Judge's Order dated December 20, 2002 was issued and registered on title on January 2, 2003 as Instrument No. WE138556 to amend a typographical error in Schedule "A" to the Judge's Order registered on December 17, 2002 as Instrument No. WE136571.

AND WHEREAS the Judge's Order dated December 20, 2002, issued and registered on title on January 2, 2003 as Instrument No. WE138556 was inadvertently registered on title to the wrong lands, the Judge's Order dated December 20, 2002 was registered on title to the correct lands on January 6, 2003 as Instrument No. WE139164.

AND WHEREAS Beach Boulevard is a highway under the jurisdiction of the City of Hamilton;

AND WHEREAS notice of the City's intention to pass this By-law has been published as required by Section 300 of the Municipal Act for four consecutive weeks in the Hamilton Spectator, a newspaper having general circulation in the City of Hamilton;

AND WHEREAS the Council of the City of Hamilton, through its Hearings Sub-Committee has heard all persons who applied to be heard, no matter whether in objection to or in support of this By-law;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That part of the unopened road allowance described as:

PIN 17333-0285(LT)

Part of Beach Boulevard on Registered Plans 658 and 862, as described as Part 1 on Reference Plan 62R-15422, formerly in the City of Stoney Creek, now in the City of Hamilton.

Saving and reserving an easement for the City of Hamilton over Part 2 on Reference Plan 62R-16116 formerly in the City of Stoney Creek, now in the City of Hamilton,

Being Part of the PIN

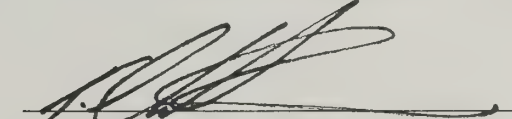
is hereby stopped up and closed.

2. That the soil and freehold in the said portion of Beach Boulevard, hereby stopped up and closed, be sold to Adorn Investments Limited for the sum of Four Thousand Dollars (\$4,000.00).

3. That this by-law shall come into force and effect on the date of its registration in the Land Registry Office for the Registry Division of Wentworth (No. 62).

PASSED AND ENACTED on this 8th day of January, 2003.



Mayor

City Clerk

CLERK

**CITY OF HAMILTON
BY-LAW NO. 03-006
To Amend By-law No. 01-215
Being a By-law to Regulate Traffic**

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

AND WHEREAS it is necessary to amend By-law No. 01-215;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 5 (Stop Signs) of By-law No. 01-215 is hereby amended by adding to Section "E" thereof the following items, namely:

"Sundown	Southbound	Amore"
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and by adding to Section "F" thereof the following items, namely:

"Sidney Crescent	Northbound	Highland Road (west intersection)
Sidney Crescent	Northbound	Highland Road" (east intersection)

and by deleting from Section "F" thereof the following items, namely:

"Sidney Crescent	Northbound	Highland	Road
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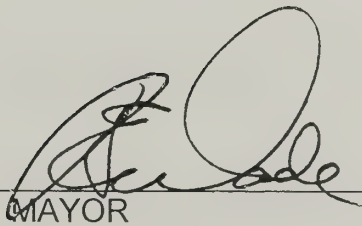
Sidney Crescent

North

Highland Road"

2. Subject to the amendment made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED AND ENACTED this 8th day of January, 2003


MAYOR
CITY CLERK

Bill No. 007

**CITY OF HAMILTON
BY-LAW NO. 03-007
TO INCORPORATE CITY LAND
DESIGNATED AS PART 1 ON PLAN 62R-16016; PART 1 ON PLAN 62R-16315
INTO SOUTHRIDGE DRIVE**

WHEREAS the Council of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Southridge Drive within its limits;

AND WHEREAS the said land is owned by the City of Hamilton.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

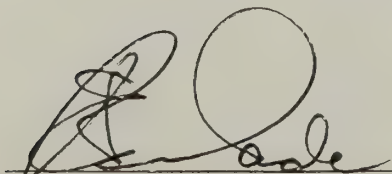
1. That the following land is hereby established and laid out as a public highway to form part of Southridge Drive.

**Part of Block 106 on Plan 62M-929, designated as Part 1 on Plan 62R-16016;
Part 1 on Plan 62R-16315.**

City of Hamilton

2. That the General Manager of Transportation, Operations & Environment or his duly authorized agent is hereby authorized to open the said land as a public highway.
3. That this by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED and ENACTED this 8th day of January, 2003


MAYOR


CITY CLERK

Bill No. 008

**CITY OF HAMILTON
BY-LAW NO. 03-008
TO INCORPORATE CITY LAND
DESIGNATED AS BLOCK 30 ON PLAN 62M-897 AND BLOCK 'DX' ON PLAN 62M-
129
INTO GRAYWOOD ROAD**

WHEREAS the Council of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Graywood Road within its limits;

AND WHEREAS the said land is owned by the City of Hamilton.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

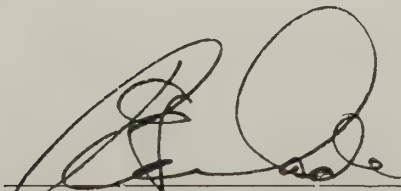
1. That the following land is hereby established and laid out as a public highway to form part of Graywood Road.

**Block 30 on Plan 62M-897.
Block 'DX' on Plan 62M-129.**

City of Hamilton

2. That the General Manager of Transportation, Operations & Environment or his duly authorized agent is hereby authorized to open the said land as a public highway.
3. That this by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED and ENACTED this 8th day of January, 2003


MAYOR


CITY CLERK

Bill No. 009

**CITY OF HAMILTON
BY-LAW NO. 03-009
TO INCORPORATE CITY LAND
DESIGNATED AS PART 1 ON PLAN 62R-16336
INTO MEADOWLANDS BOULEVARD**

WHEREAS the Council of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Meadowlands Boulevard within its limits;

AND WHEREAS the said land is owned by the City of Hamilton.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That the following land is hereby established and laid out as a public highway to form part of Meadowlands Boulevard.

**Lot 51, Concession 3, in the Geographic Township of Ancaster, designated as Part 1 on Plan 62R-16336.
City of Hamilton**

2. That the General Manager of Transportation, Operations & Environment or his duly authorized agent is hereby authorized to open the said land as a public highway.
3. That this by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this 8th day of January, 2003


MAYOR


CITY CLERK

Bill No. 010

**CITY OF HAMILTON
BY-LAW NO. 03-010
TO INCORPORATE CITY LAND
DESIGNATED AS BLOCK 84 ON PLAN 62M-895
INTO STONEHENGE DRIVE**

WHEREAS the Council of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Stonehenge Drive within its limits;

AND WHEREAS the said land is owned by the City of Hamilton.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That the following land is hereby established and laid out as a public highway to form part of Stonehenge Drive.

Block 84 on Plan 62M-895.

City of Hamilton

2. That the General Manager of Transportation, Operations & Environment or his duly authorized agent is hereby authorized to open the said land as a public highway.
3. That this by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED and ENACTED this 8th day of January, 2003


MAYOR


CITY CLERK

THE CITY OF HAMILTON

BY-LAW NO. 03- 011

To Confirm the Proceedings of City Council at its meeting held on January 8, 2003

THE COUNCIL OF THE
CITY OF HAMILTON
ENACTS AS FOLLOWS:

1. The Action of City Council at its meeting held on the 8th day of January, 2003 in respect of each recommendation contained in:

Report 03-001 of the Committee of the Whole,
Report 03-001 of the Hearings Sub-Committee,

considered by City of Hamilton Council at the said meeting, and in respect of each motion, resolution and other action passed and taken by the City Council at its said meeting, is, except where prior approval of the Ontario Municipal Board is required, hereby adopted, ratified and confirmed.

2. The Mayor of the City of Hamilton and the proper officials of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required, and except where otherwise provided, the Mayor and the City Clerk are hereby directed to execute all documents necessary in that behalf, and the City Clerk is hereby authorized and directed to affix the Corporate Seal of the Corporation to all such documents.

PASSED and ENACTED this 8th day of January, 2003


MAYOR
CITY CLERK

Bill No. 012

CITY OF HAMILTON
BY-LAW NO. 03- 012
To Amend By-law No. 01-215
Being a By-law To Regulate Traffic

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

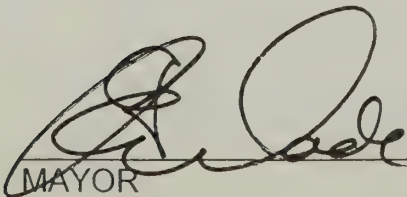
AND WHEREAS it is necessary to amend By-law No. 01-215;

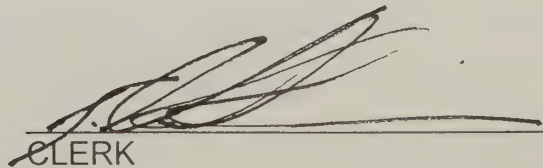
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 5 (Stop Signs) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "E" thereof the following item, namely:

"Spadina Northbound and Southbound Vineland"
2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and ENACTED this 22nd day of January, 2003


MAYOR


CLERK

Bill No. 013

CITY OF HAMILTON

BY-LAW NO. 03-013

To Adopt:

Official Plan Amendment No. 87 to the former Town of Ancaster Official Plan;

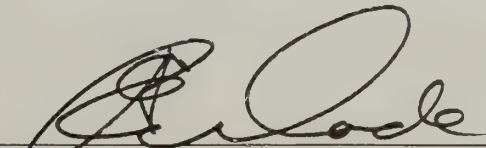
Respecting:

213 Wilson Street East

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Amendment No. 87 to the Official Plan of the former Town of Ancaster Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.
2. It is hereby authorized and directed that such approval of the Official Plan Amendment referred to in section 1 above, as may be requisite, be obtained and for the doing of all things for the purpose thereof.

PASSED AND ENACTED this 22nd day of January 2003.


MAYOR


CLERK

Amendment No. 87

to the

Official Plan of the Former City of Ancaster

The following Schedule "B", Land Use – Urban Area, attached hereto, constitutes Official Plan Amendment No. 87.

Purpose:

The purpose of the Amendment is to redesignate the subject lands from "Residential" to "Commercial" on Schedule "B", Land Use – Urban Area, of the Official Plan to permit medical and professional offices.

Location:

The land affected by this Amendment is the southern portion of the property known municipally as 213 Wilson Street East on the north side of Wilson Street.

Basis:

The intent of the Amendment is to redesignate the subject lands to permit the establishment of medical and professional offices in an existing residential dwelling structure. The basis for permitting the proposal is as follows:

- The proposed use is compatible with the character of the surrounding area; and
- The subject land is adequately serviced by existing transportation routes.

Actual Change:

1. Amend Schedule "B", Land Use – Urban Area, of the Official Plan be revised by redesignating the subject land from "Residential" to "Commercial", as shown on the attached Schedule "B" of this Amendment.

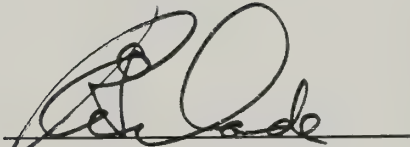
Implementation:

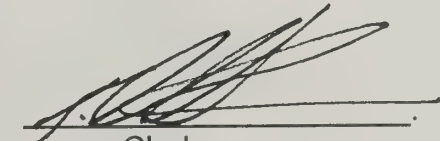
An implementing Zoning By-Law Amendment and the provisions of Section 7: Implementation of the former Town of Ancaster Official Plan will give effect to this Amendment.

This is Schedule "1" to By-law No. 03-013 passed on the 22nd day of January, 2003.

The Corporation of the

City of Hamilton



Mayor

Clerk

Schedule B
Amendment No. 87
to the Official Plan
for the
former Town of Ancaster

Legend
 Redesignate from Residential
 to Commercial

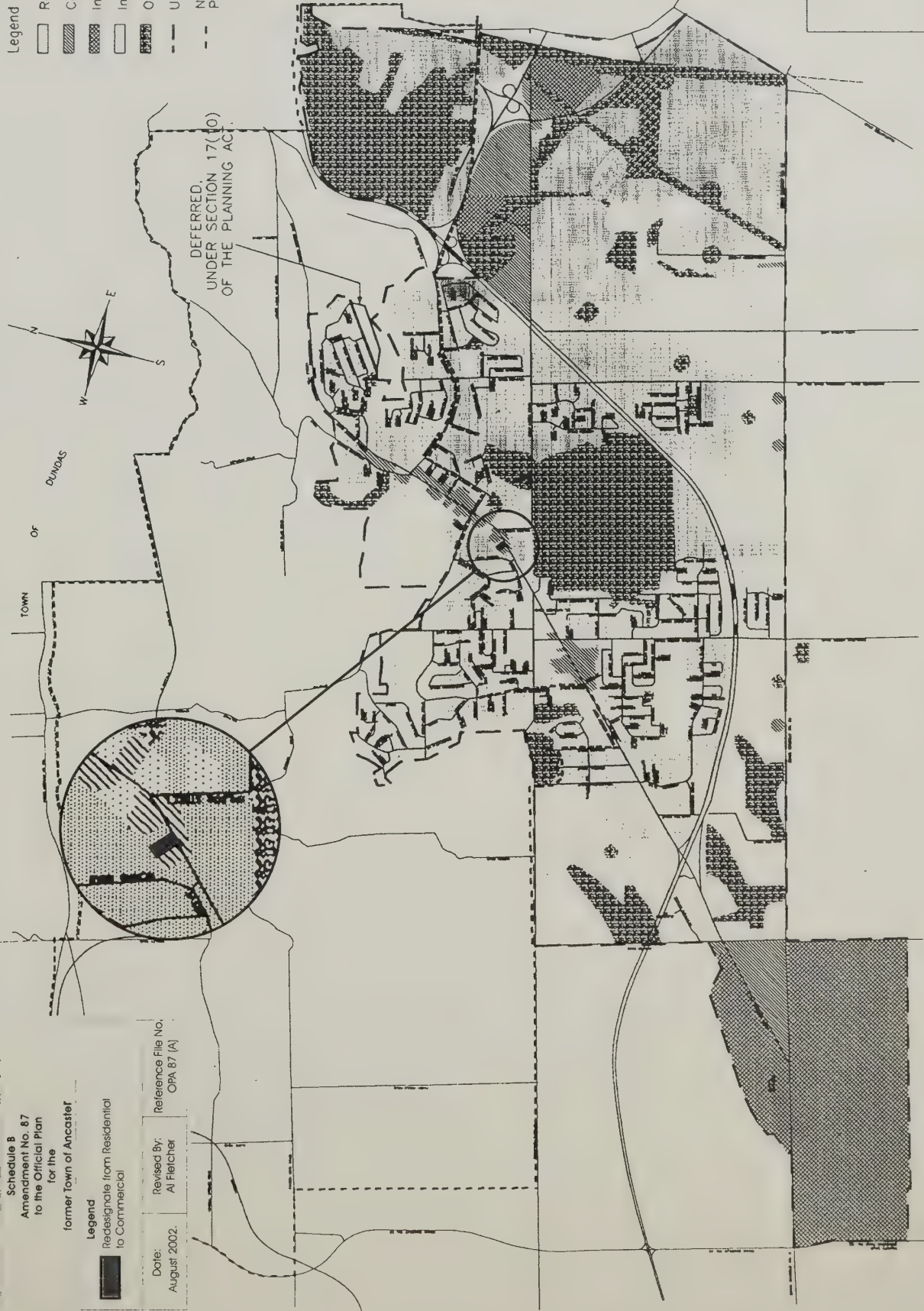
Date:
August 2002.

Revised By:
Al Fletcher

Reference File No.
OPA 87 (A)

Legend

- Residential
- Commercial
- Industrial
- Institutional
- Open Space and Conservation
- Urban Area Boundary
- Niagara Escarpment
- Plan Boundary



LAND USE - URBAN AREA

SCHEDULE 'B'

TO THE OFFICIAL PLAN
 FOR
 THE TOWN OF ANCASTER

DATE OF ORIGIN
 REVISED 10-20-04
 SCALE 1:10000
 AEB

Schedule B
Amendment No. 87
to the Official Plan
for the
former Town of Ancaster

Legend
 Redesignate from Residential
 to Commercial

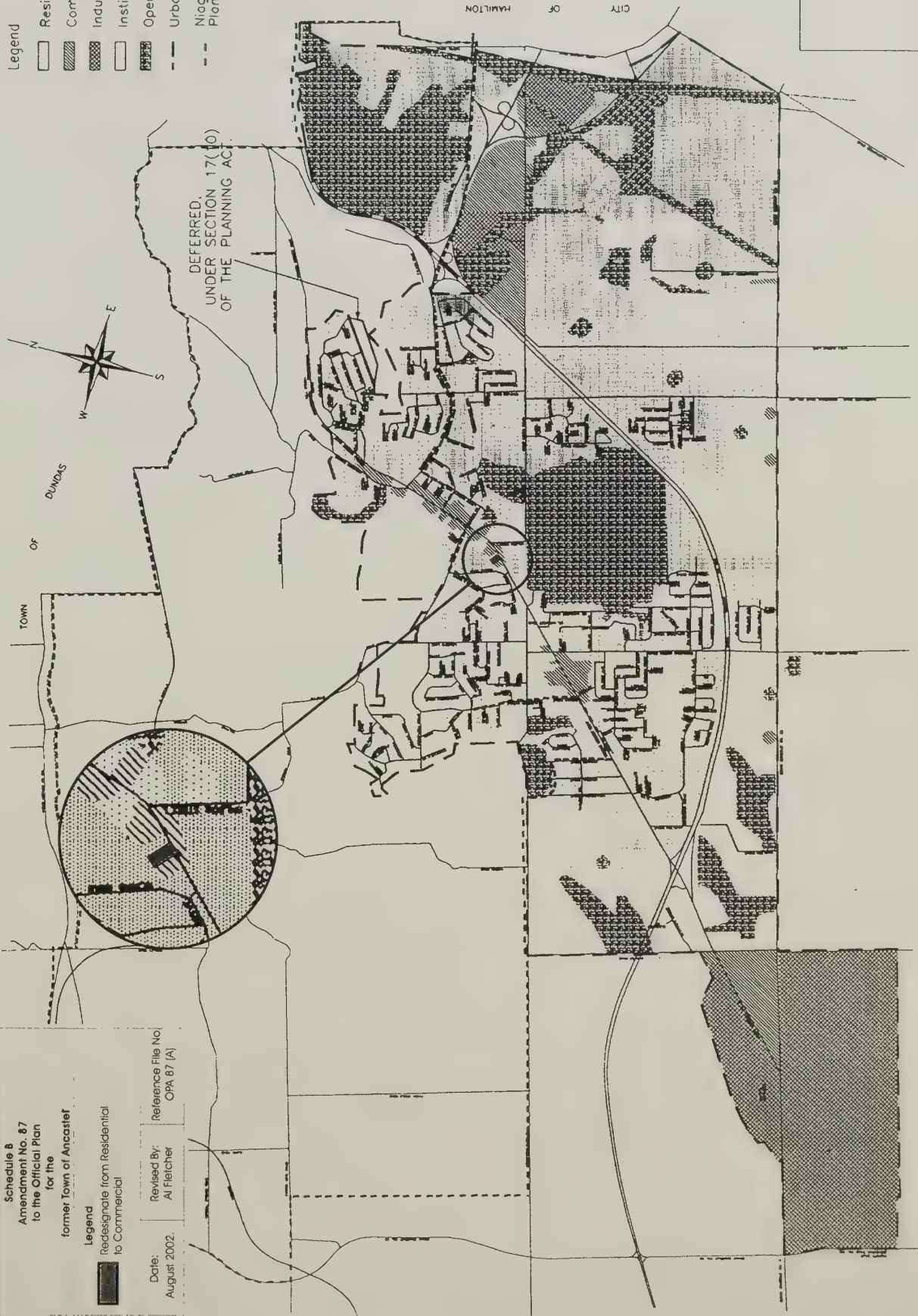
Date:
August 2002.

Revised By:
Al Fletcher

Reference File No:
OPA 87 (A)

Legend

-  Residential
-  Commercial
-  Industrial
-  Institutional
-  Open Space and Conservation
-  Urban Area Boundary
-  Niagara Escarpment
-  Plan Boundary



LAND USE - URBAN AREA

SCHEDULE 'B'

TO THE OFFICIAL PLAN
 FOR
 THE TOWN OF ANCASTER

DATE: 09/01/02
 REVISED: 07/05/04
 SCALE: 1:10000
 AECB

Authority: Item 1, Hearings Sub-Committee
Report 02-026 (PD02150)
CM: August 14, 2002

Bill No. 014

CITY OF HAMILTON

BY-LAW NO. 03-014

**To Amend Zoning By-law No. 87-57 (Ancaster), as amended
Respecting 213 Wilson Street,
Owned by Esther Francis McLaren**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the Town of Ancaster" and is the successor to the former regional municipality, namely, The Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 87-57 (Ancaster) was enacted on the 22nd day of June 1987, and approved by the Ontario Municipal Board on the 23rd day of January, 1989;

AND WHEREAS the Council of the City of Hamilton, in adopting Section 1 of Report 02-026 of the Hearing Sub-Committee at its meeting held on the 7th day of August, 2002, recommended that Zoning By-law No. 87-57 (Ancaster), be amended as hereinafter provided;

AND WHEREAS this By-law is in conformity with the Official Plan of the City of Hamilton (the Official Plan of the former Town of Ancaster), approved by the Minister under the Planning Act on July 6, 1984, as amended by Official Plan Amendment No. 87 proposed by the Corporation of the City of Hamilton as By-law No. 03-013, but not yet approved in accordance with the provisions of the Planning Act.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule "B", Map 1 of Zoning By-law No. 87-57 (Ancaster), as amended, is hereby amended by changing the zoning from Existing Residential "ER" to Site Specific General Commercial "C3-479", those lands being Part of Lot 44, Concession 2, former geographic township of Ancaster and more particularly shown on Schedule 'A' attached hereto and forming part of this By-law.
2. Section 33: Exceptions of Zoning By-law 87-57 (Ancaster), as amended, is hereby further amended by adding the following subsection:

C3-479 Notwithstanding any provisions of Sub-section 22.1 – Permitted Uses of Section 22: General Commercial "C3" Zone of Zoning By-law No. 87-57 (Ancaster), only the following uses shall be permitted as it affects the lands zoned General Commercial "C3-479" by this by-law, described as Part of Lot 44, Concession 2, geographic township of Ancaster and municipally known as 213 Wilson Street:

a) Permitted Uses:

- Business and Professional Offices
- Medical Clinics
- Accessory Residential Use

3. Notwithstanding any provisions of Sub-section 22.2 of the General Commercial "C3" Zone, the following provisions shall apply:

- a) Minimum Front Yard 6 metres, plus any applicable distance as specified in Schedule "C";
- b) Minimum Side Yard 3.8 metres; and,

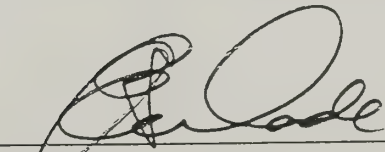
All other provisions of Zoning By-law No. 87-57 as applicable to the General Commercial "C3" Zone shall apply.

4. Notwithstanding Sub-section 7.14 (a)(xv) of Section 7: General Provisions of Zoning By-law No. 87-57 (Ancaster), the following special regulation shall apply to the General Commercial "C3-479" Zone:

- a) A minimum 3 metre wide permanently maintained planting strip shall be provided along the rear lot line.

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

PASSED and ENACTED this 22nd day of January, 2003 .



MAYOR

CLERK



REDING ROAD

MANSFIELD DR

N46°43'35"E 17.092

N42°29'50"W 67.494

N43°01'10"W 67.190

N47°38'30"E 16.464

WILSON STREET EAST

This is Schedule "A" to By-Law No. 03 - 014
Passed the 22nd day of January, 2003.


Clerk


Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
By-Law No. 03-014
to Amend By-Law No. 87-57

Planning and Development Department

Legend



Subject Property
213 Wilson Street East - Change in
zoning from Existing Residential "ER"
to Site Specific General Commercial
"C3-479" Zone



Scale
NOT TO SCALE

Date
January 07, 2003

Reference File No.
OPA-02-09 / ZAC-02-25

Drawn By
MC

Bill No. 015

CITY OF HAMILTON

BY-LAW NO. 03-015

To Amend Zoning By-law No. 3692-92 (Stoney Creek)
Respecting Lands Located on Part of Lots 31 and 32, Concession 7,
Old Mud Street
Owned by 1322285 Ontario Ltd. (Silvestri Investments)

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the City of Stoney Creek" and is the successor to the former Regional Municipality, namely, The Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 3692-92 (Stoney Creek) was enacted on the 8th day of December 1992, and approved by the Ontario Municipal Board on the 31st day of May, 1994;

AND WHEREAS this by-law is in conformity with the Official Plan of the City of Hamilton (formerly the City of Stoney Creek Official Plan), approved by the Minister under the Planning Act on May 12, 1986;

AND WHEREAS it is intended to change the zoning of the lands hereinafter referred to, under By-law No. 3692-92 (Stoney Creek), passed on the 8th day of December 1992 and approved by the Ontario Municipal Board by Order dated the 31st day of May 1994.

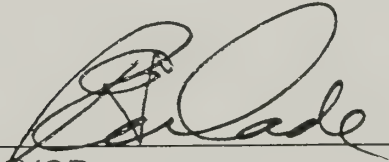
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Map No. 10 of Schedule "A", appended to and forming part of By-law No. 3692-92 (Stoney Creek) is amended as follows:
 - (a) by changing from the Neighbourhood Development "ND" Zone to the Single Residential "R4" Zone, the lands comprised of Block "1", and
 - (b) by changing from the Neighbourhood Development "ND" Zone to the Residential Multiple "RM2" Zone, the lands comprised of Block "2";

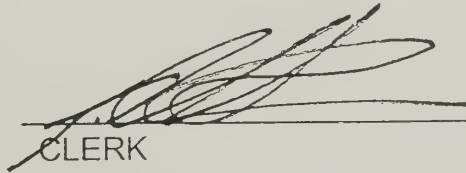
the extent and boundaries of which Blocks "1" and "2" are shown on a plan hereto annexed as Schedule "A".

2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

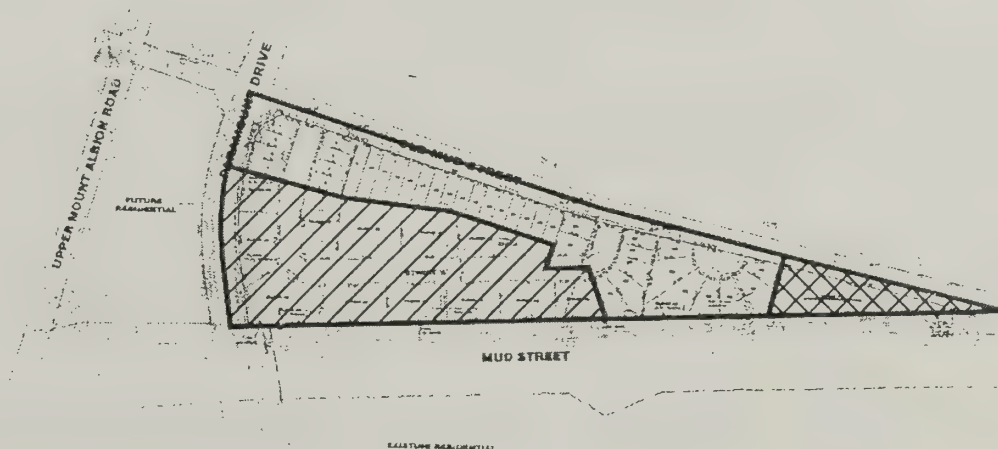
PASSED and ENACTED this 22nd day of January, 2003.



MAYOR



CLERK



This is Schedule "A" to By-Law No. 03-015

Passed the 22nd day of January, 2003

[Signature]
Clerk

[Signature]
Mayor

Schedule "A"

Map Forming Part of
By-Law No. 03-015
to Amend By-Law No. 3692-92



Planning and Development Department

Legend

-  Block 1 - Neighbourhood Development "ND" Zone to Single Residential "R4" Zone
-  Block 2 - Neighbourhood Development "ND" Zone to Residential Multiple-Two "RM2" Zone
-  Block 3 - Lands to remain Neighbourhood Development "ND" Zone



North

Scale
NOT TO SCALE

Date
January 17, 2003

Reference File No
ZAC-02-64 & 25T-200210

Drawn By
L.M.M.

Bill No. 016

CITY OF HAMILTON

BY-LAW NO. 03-016

**To Amend By-law No. 01-218, as amended,
Being a By-law To Regulate On-Street Parking**

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-218 to regulate on-street parking;

AND WHEREAS it is necessary to amend By-law No. 01-218, as amended;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 5 (Parking Meters) of By-law No. 01-218, as amended, is hereby further amended by deleting Section "B", in its entirety, and by substituting in its place thereof, the following items, namely:

"Cross Street	Both	King to Park	2 hr	85 ¢
Foundry Street	East	King to Hatt	2 hr	85 ¢
John Street	Both	King to Hatt	2 hr	85 ¢
King Street	Both	Market to York	2 hr	85 ¢
McMurray Street	West	King to Hatt	2 hr	85 ¢
Memorial Square	West	King to Hatt	2 hr	85 ¢
Ogilvie Street	Both	King to Hatt	2 hr	85 ¢
Sydenham Street	West	King to Park	2 hr	85 ¢"

2. Schedule 12 (Permit Parking Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "E" thereof the following item, namely:

"Paling	East	from 159.1m north of Vansitmart to 7.6m northerly	Anytime"
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and by deleting from Section "E" thereof the following items, namely:

"Weir	East	commencing 253 feet north of Dunsmure and extending 17 feet northerly therefrom	Anytime
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Wexford	West	commencing at a point 172 feet north of Dunsmure to a point 22 feet northerly therefrom	Anytime
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Woodbine	North	commencing at a point 389 feet west of York Blvd. to a point 22 feet westerly therefrom	Anytime
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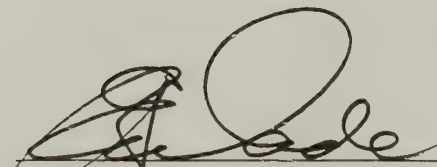
Woodland	South	easterly end to a point 20 feet westerly therefrom	Anytime"
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3. Schedule 14 (Wheelchair Loading Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "E" thereof the following item, namely:

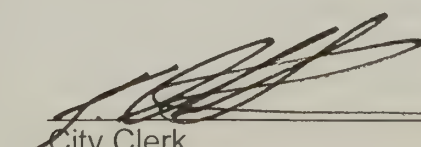
"Rosewood	West	from 39.6mm south of Central to 6.9m southerly	8:00 a.m. to 8:00 p.m." Saturdays & Sundays
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4. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-218, including all Schedules thereto, as amended, is hereby confirmed unchanged.
5. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and ENACTED this 22nd day of January, 2003.



Mayor



City Clerk

City of Hamilton

BY-LAW No. 03-017

Respecting:

REMOVAL OF PART LOT CONTROL

**WITHIN A PORTION OF
"GLANCASTER MEADOWS" — PLAN 62M-932**

WHEREAS the Planning Act, (R.S.O. 1990, Chapter P.13 sec.50 (5) as amended) establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS the Planning Act, (sec.50 (7)) states, in part, as follows:

- (7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.
 - (7.1) **Requirement for approval of by-law.** -- A by-law passed under subsection (7) does not take effect until it has been approved by the appropriate approval authority for the purpose of sections 51 and 51.1 in respect of the land covered by the by-law.
 - (7.2) **Exemption from approval.** -- An approval under subsection (7.1) is not required if the council that passes a by-law under subsection (7) is authorized to approve plans of subdivision under section 51.
 - (7.3) **Expiration of by-law.** -- A by-law passed under subsection (7) may provide that the by-law expires at the expiration of the time period specified in the by-law and the by-law expires at that time.
 - (7.4) **Extension of time period.** -- The council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.

- (7.5) **Amendment or repeal.** -- The council of a local municipality may, without an approval under subsection (7.1), repeal or amend a by-law passed under subsection (7) to delete part of the land described in it and, when the requirements of subsection (28) have been complied with, subsection (5) applies to the land affected by the repeal or amendment.

AND WHEREAS the land which is the subject of this By-law was, as of January 1st, 2001 — placed within the jurisdiction of the City of Hamilton, a new municipality incorporated as of January 1, 2001 by the City of Hamilton Act, 1999 (S.O. 1999, Chapter 14, Schedule C);

AND WHEREAS the City of Hamilton stands in the place of the former regional municipality, The Regional Municipality of Hamilton-Wentworth and in the place of the former area municipalities, namely The Corporation of the Township of Glanbrook;

AND WHEREAS the authority to approve this by-law enacted under subsection 7 of Section 50 of the Planning Act is vested in the City of Hamilton, as contemplated by section 50 (7.2) of the Act, because the City is, pursuant to section 51(6) of the Planning Act, the approval authority for plans of subdivision;

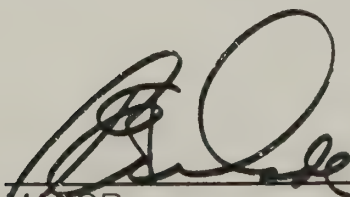
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Subsection 5 of Section 50 of the Planning Act, for the purpose of permitting the sale of two (2) semi-detached dwellings with four (4) individual units, shall not apply to the following designated land:

Lots 47 and 48, Registered Plan Number 62M-932, in the City of Hamilton (Glanbrook).

2. This by-law shall be registered on title to the said land and shall come into force and effect on the date of such registration.
3. This By-law shall cease, expire and be of no further effect on January 22nd, 2005.

PASSED and ENACTED this 22nd day of January, A.D. 2003.


MAYOR


CLERK

• City of Hamilton

BY-LAW No. 03-018

Respecting:

REMOVAL OF PART LOT CONTROL

**WITHIN A PORTION OF
"GLANCASTER MEADOWS" — PLAN 62M-932**

WHEREAS the Planning Act, (R.S.O. 1990, Chapter P.13 sec.50 (5) as amended) establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS the Planning Act, (sec.50 (7)) states, in part, as follows:

- (7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.
 - (7.1) **Requirement for approval of by-law.** -- A by-law passed under subsection (7) does not take effect until it has been approved by the appropriate approval authority for the purpose of sections 51 and 51.1 in respect of the land covered by the by-law.
 - (7.2) **Exemption from approval.** -- An approval under subsection (7.1) is not required if the council that passes a by-law under subsection (7) is authorized to approve plans of subdivision under section 51.
 - (7.3) **Expiration of by-law.** -- A by-law passed under subsection (7) may provide that the by-law expires at the expiration of the time period specified in the by-law and the by-law expires at that time.
 - (7.4) **Extension of time period.** -- The council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.

By-law to remove a portion of
"Glancafter Meadows", Plan 62M-932
from Part Lot Control

2

- (7.5) **Amendment or repeal.** -- The council of a local municipality may, without an approval under subsection (7.1), repeal or amend a by-law passed under subsection (7) to delete part of the land described in it and, when the requirements of subsection (28) have been complied with, subsection (5) applies to the land affected by the repeal or amendment.

AND WHEREAS the land which is the subject of this By-law was, as of January 1st, 2001 — placed within the jurisdiction of the City of Hamilton, a new municipality incorporated as of January 1, 2001 by the City of Hamilton Act, 1999 (S.O. 1999, Chapter 14, Schedule C);

AND WHEREAS the City of Hamilton stands in the place of the former regional municipality, The Regional Municipality of Hamilton-Wentworth and in the place of the former area municipalities, namely The Corporation of the Township of Glanbrook;

AND WHEREAS the authority to approve this by-law enacted under subsection 7 of Section 50 of the Planning Act is vested in the City of Hamilton, as contemplated by section 50 (7.2) of the Act, because the City is, pursuant to section 51(6) of the Planning Act, the approval authority for plans of subdivision;

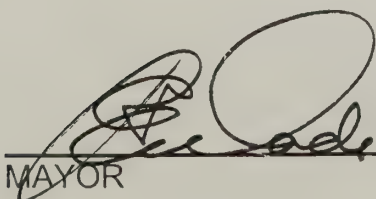
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Subsection 5 of Section 50 of the Planning Act, for the purpose of permitting the sale of two (2) semi-detached dwellings with four (4) individual units, shall not apply to the following designated land:

Lots 59 and 61, Registered Plan Number 62M-932, in the City of Hamilton (Glanbrook).

2. This by-law shall be registered on title to the said land and shall come into force and effect on the date of such registration.
3. This By-law shall cease, expire and be of no further effect on January 22nd, 2005.

PASSED and ENACTED this 22nd day of January, A.D. 2003.


MAYOR


CLERK

City of Hamilton

BY-LAW No. 03-019

Respecting:

REMOVAL OF PART LOT CONTROL

**WITHIN A PORTION OF
"FIFTY ROAD JOINT VENTURE - PHASE 1" – PLAN 62M-950**

WHEREAS the Planning Act, (R.S.O. 1990, Chapter P.13 sec.50 (5) as amended) establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS the Planning Act, (sec.50 (7)) states, in part, as follows:

- (7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.
 - (7.1) **Requirement for approval of by-law.** -- A by-law passed under subsection (7) does not take effect until it has been approved by the appropriate approval authority for the purpose of sections 51 and 51.1 in respect of the land covered by the by-law.
 - (7.2) **Exemption from approval.** -- An approval under subsection (7.1) is not required if the council that passes a by-law under subsection (7) is authorized to approve plans of subdivision under section 51.
 - (7.3) **Expiration of by-law.** -- A by-law passed under subsection (7) may provide that the by-law expires at the expiration of the time period specified in the by-law and the by-law expires at that time.
 - (7.4) **Extension of time period.** -- The council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.

- (7.5) **Amendment or repeal.** -- The council of a local municipality may, without an approval under subsection (7.1), repeal or amend a by-law passed under subsection (7) to delete part of the land described in it and, when the requirements of subsection (28) have been complied with, subsection (5) applies to the land affected by the repeal or amendment.

AND WHEREAS the land which is the subject of this By-law was, as of January 1st, 2001 — placed within the jurisdiction of the City of Hamilton, a new municipality incorporated as of January 1, 2001 by the City of Hamilton Act, 1999 (S.O. 1999, Chapter 14, Schedule C);

AND WHEREAS the City of Hamilton stands in the place of the former regional municipality, The Regional Municipality of Hamilton-Wentworth and in the place of the former area municipalities, namely The Corporation of the City of Stoney Creek;

AND WHEREAS the authority to approve this by-law enacted under subsection 7 of Section 50 of the Planning Act is vested in the City of Hamilton, as contemplated by section 50 (7.2) of the Act, because the City is, pursuant to section 51(6) of the Planning Act, the approval authority for plans of subdivision;

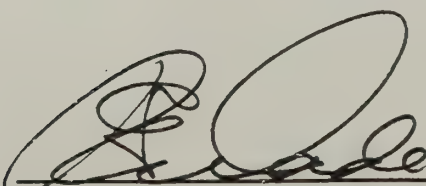
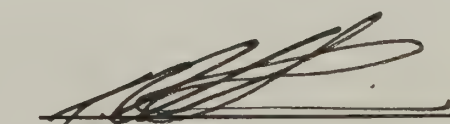
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Subsection 5 of Section 50 of the Planning Act, for the purpose of creating eighteen (18) freehold street townhouse lots and maintenance easements and a part for a common elements condominium for a rear laneway access, shall not apply to the following designated land:

Part of Block 159, Registered Plan Number 62M-950, in the City of Hamilton (Stoney Creek).

2. This by-law shall be registered on title to the said land and shall come into force and effect on the date of such registration.
3. This By-law shall cease, expire and be of no further effect on January 22nd, 2005.

PASSED and ENACTED this 22nd day of January, A.D. 2003.


MAYOR
CLERK

CITY OF HAMILTON

BY-LAW NO. 03-020

To Regulate Noise

WHEREAS the City of Hamilton Act, 1999, Statute of Ontario, 1999 Chap. 14, Sched. C, did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to the following former area municipalities: The Corporation of the Town of Ancaster; The Corporation of the Town of Dundas; The Corporation of the Town of Flamborough; The Corporation of the Township of Glanbrook; The Corporation of the City of Hamilton; and The Corporation of the City of Stoney Creek;

AND WHEREAS the City of Hamilton Act, 1999, provides that the By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS the Municipal Act, 2001, S.O. 2001, Chapter 25, Section 129, as amended, authorizes municipalities to pass by-laws prohibiting or regulating with respect to noise and vibration;

AND WHEREAS it is desirable to prohibit or regulate undesired sound and vibration in order to produce a satisfactory acoustic environment wherein the character and magnitude of all sounds or vibrations are compatible with the permitted use of any premises;

AND WHEREAS this By-law shall be referred to as the "Noise By-law".

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

DEFINITIONS

- 1 (1) In this by-law, all words shall carry their customary meaning except as hereinafter stated.
- (2) All definitions contained in **Publication - N.P.C.-101 - Technical Definitions** shall apply to this by-law. Where there is a conflict between the definition contained in **Publication - N.P.C.-101 - Technical Definitions** and the definition contained in Section 1(3) of this by-law, the by-law definition shall be applied.
- (3) The following words shall have the following definitions:
 - (a) **Authorized Emergency Vehicle** includes any ambulance or hearse, any vehicle of the fire department, or of the local, provincial or federal police, any vehicle operated by or for the **City**, the Bell Telephone Company of Canada, the post office, the Hamilton Street Railway Company, armoured cars carrying cash, any public utility company or telegraph company while engaged in the **Construction**, maintenance or repair of a **Highway** or any equipment or facilities herein, and a snow plough or other maintenance vehicles of the Ministry of Transportation and Communications;
 - (b) **City** means the City of Hamilton;
 - (c) **Commercial Area** means the following zones or districts in the following by-laws:
 - (i) Former City of Hamilton Zoning By-law No. 6593
"G", "G-1", "G-2", "G-3", "G-4", "H", "HH", "I", "CR-1", "CR-2", "CR-3" and "U" Districts.
 - (ii) Former Town of Ancaster Zoning By-law No. 87-57
"C1", "C2", "C3", "C4", "C5", "VA", "HC" and "G" Zones.
 - (iii) Former Town of Dundas Zoning By-law No. 3581-86
"C.N", "C.SC", "C.A.C", "C.H", "C5" and "C6" Zones.
 - (iv) Former Town of Flamborough Zoning By-law No. 90-145-Z
"BD", "UC", "NC", "SC", "HC" and "AC" Zones.
 - (v) Former Township of Glanbrook Zoning By-law No. 464
"C1", "C2", "C3", "C4", "C5" and "C6" Zones.

(vi) Former City of Stoney Creek Zoning By-law No. 3692-92

"LC", "GC", "CS", "CA1", "CA2", "HC", "MUC", "SC1", "SC2" and "RC" Zones.

- (d) **Construction** includes erection, alteration, repair, dismantling, demolition, structural maintenance, painting, moving, land clearing, earth moving, grading, excavating, the laying of pipe and conduit whether above or below ground level, street and **Highway** building, concreting, equipment installation and alteration and the structural installation of construction components and materials in any form or for any purpose, and includes any work in connection therewith;
- (e) **Construction Equipment** means any equipment or device designed and intended for use in **Construction**, or material handling, including but not limited to, air compressors, pile drivers, pneumatic or hydraulic tools, bulldozers, tractors, excavators, trenchers, cranes, derricks, loaders, scrapers, pavers, generators, off-**Highway** haulers or trucks, ditchers, compactors and rollers, pumps, concrete mixers, graders, or other material handling equipment;
- (f) **Construction Site** means the area or portion of land used for **Construction** or any other area used for any purpose related to the **Construction** or for any related purpose;
- (g) **Conveyance** includes a vehicle and any other device used to transport a person or goods from place to place but does not include any vehicle or device operated only within the premises of a person;
- (h) **Council** means the council of the City of Hamilton;
- (i) **Highway** includes a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle designed and intended for or used by the public for the passage of vehicles;
- (j) **Industrial Area** means the following zones or districts in the following by-laws:

(i) Former City of Hamilton Zoning By-law No. 6593:

"J", "JJ", "J3", "K", "KK", "M-11", "M-12", "M-13", "M-14" and "M-15" Districts save and except those lands identified on the Map attached hereto as Schedule 2, which Schedule forms part of this By-law.

(ii) Former Town of Ancaster Zoning By-law No. 87-57:

"M1", "M2", "M3", "M4", "M5" and "M6" Zones

(iii) Former Town of Dundas Zoning By-law No. 3581-86:

"I.L", "I.G" and "I.LS" Zones

(iv) Former Town of Flamborough Zoning By-law No. 90-145-Z

"EI", "M1", "M2" and "M3" Zones.

(v) Former Township of Glanbrook Zoning By-law No. 464:

"M1", "M2", "M3", "M4", "M5", "M6", "M7" and "M8" Zones.

(vi) Former **City** of Stoney Creek Zoning By-law No. 3692-92:

"MS", "MP", "MT", "MG", "MSP", "MBP", "ME" and "MR" Zones, save and except those lands identified on the Map attached hereto as Schedule 2, which Schedule forms part of this By-law.

- (k) **Minister** means the Minister of the Environment;
- (l) **Ministry** means the Ministry of the Environment;
- (m) **Motor Vehicle** means any motorized conveyance and includes an automobile, motorcycle and any other vehicle propelled or driven otherwise than by muscular power, but does not include the cars of electric or steam railways, or other Motor Vehicle running only upon rails, or a motorized snow vehicle, traction engine, farm tractor, self-propelled implement of husbandry or road building machine within the meaning of the Highway Traffic Act;
- (n) **Municipality** means the land within the geographic limit of the City of Hamilton;
- (o) **Noise** means unwanted sound;
- (p) **Point of Reception** means any point on a premises of a person where sound or vibration originating from other than those premises is received;

- (q) **Publication - N.P.C.** means a specified publication of the Noise Pollution Control Section of the Pollution Control Branch of the Ministry of the Environment as follows, and attached hereto as Schedule 1, which Schedule forms part of this By-law:

Publication – N.P.C. 101 – Technical Definitions

Publication – N.P.C. 102 - Instrumentation

Publication – N.P.C. 103 – Procedures

Publication – N.P.C. 104 – Sound Level Adjustments

Publication – N.P.C. 115 – Construction Equipment

Publication – N.P.C. 119 – Blasting

Publication – N.P.C. 205 – Sound Level Limits for Stationary Sources in Class 1 and 2 Areas (Urban)

Publication – N.P.C. 216 – Residential Air Conditioning Devices

Publication – N.P.C. 206 – Sound Levels of Road Traffic

Publication – N.P.C. 232 – Sound Level Limits for Stationary Sources in Class 3 Areas (Rural)

Publication – N.P.C. 233 – Information to be Submitted for Approval of Stationary Sources of Sound

- (r) **Quiet Area** means the lands and premises at the following locations:

Henderson General Hospital

Hamilton General Hospital

Chedoke Hospital

St. Joseph's Hospital

McMaster Hospital

St. Peter's Infirmary

Macassa Lodge

- (s) **Residential Area** means the following zones or districts in the following by-laws:

(i) City of Hamilton Zoning By-law No. 6593:

"A", "AA", "B", "B1", "B2", "C", "D", "DE", "DE-2", "DE-3", "E", "E-1", "E-2", "E-3", "RT-10", "RT-20" and "RT-30" Districts.

(ii) Town of Ancaster Zoning By-law No. 87-57:

"ER", "R1", "R2", "R3", "R4", "R5", "RM1", "RM2", "RM3", "RM4", "RM5", "RM6" and "RH" Zones.

(iii) Town of Dundas Zoning By-law No. 3581-86:

"R1", "R2", "R3", "R4", "RM1", "RM2", "RM3", "RM4" and "RCC" Zones.

(iv) Town of Flamborough Zoning By-law No. 90-145-Z:

"R1", "R2", "R3", "R4", "R5", "R6", "R7", "R8" and "R9" Zones.

(v) The Corporation of Township of Glanbrook Zoning By-law No. 464:

"ER", "R1", "R2", "R3", "R4", "RM1", "RM2", "RM3", "RM4", "RH" and "RE" Zones.

(vi) City of Stoney Creek Zoning By-law No. 3692-92:

"R1", "R2", "R3", "R4", "R5", "R6", "RM1", "RM2", "RM3", "RM4" and "RM5" Zones.

- (t) **Source of Sound** means an activity, matter, thing, or tangible personal property or real property, from which sound or vibration is emitted;
- (u) **Stationary Source** means a **Source of Sound** which does not normally move from place to place unless the dominant **Source** on the premises is **Construction Equipment** or a **Conveyance**;

GENERAL PROHIBITIONS

- 2 No person shall emit or cause or permit the emission of sound likely to disturb another between 9:00 pm and 7:00 am of the following day.

3 No person shall emit or cause or permit the emission of sound resulting from the following which sound is clearly audible at a **Point of Reception**:

- (1) The operation of any electronic device or group of connected electronic devices incorporating one or more loudspeakers or other electro-mechanical transducers, and intended for the production, reproduction or amplification of sound.
- (2) Racing of any **Motor Vehicle** other than in a racing event regulated by law.
- (3) The operation of a **Motor Vehicle** in such a way that the tires squeal.
- (4) The operation of any combustion engine without an effective exhaust-muffling device in good working order and in constant operation.
- (5) The operation of a **Motor Vehicle** or a **Motor Vehicle** with a trailer resulting in banging, clanking, squealing or other like sounds due to improperly secured load or equipment, or inadequate maintenance.
- (6) The operation of an engine or motor in, or on, any **Motor Vehicle** or item of attached auxiliary equipment for a continuous period exceeding five minutes, while such vehicle is stationary in a **Residential Area** or a **Quiet Area**, unless,
 - (a) the vehicle is in an enclosed structure constructed so as to effectively prevent excessive **Noise** emission; or,
 - (b) the original equipment manufacturer specifically recommends a longer idling period for normal and efficient operation of the **Motor Vehicle** in which case such recommended period shall not be exceeded; or,
 - (c) operation of such engine or motor is essential to a basic function of the vehicle or equipment, including but not limited to, operation of ready-mixed concrete trucks, lift platforms or refuse compactors and heat exchange systems; or,
 - (d) weather conditions justify the use of heating or refrigerating systems powered by the motor or engine for the safety and welfare of the operator, passengers or animals, or the preservation of perishable cargo; or
 - (e) prevailing low temperatures make longer idling periods necessary, immediately after starting the motor or engine; or,

machine, device or system.

(7) The operation of a power assisted hang glider or a parafoil.

6 No person shall emit or cause or permit the emission of sound resulting from the following which sound is clearly audible at a **Point of Reception** located in **Quiet Areas** (at any time) or in **Residential Areas** (between 11:00 pm – 7:00 am):

(1) The detonation of fireworks or explosive devices.

7 No person shall emit or cause or permit the emission of sound resulting from the following which sound is clearly audible at a **Point of Reception** located in **Quiet Areas** (7:00 pm – 7:00 am) or **Residential Areas** (7:00 pm – 7:00 am):

(1) The operation of a commercial car wash with air drying equipment.

(2) The operation of **Construction Equipment** in connection with **Construction**.

(3) The operation of any powered or non-powered tool for purposes other than snow removal.

8 No person shall emit or cause or permit the emission of sound resulting from the following which sound is clearly audible at a **Point of Reception** located in **Quiet Areas** (between 9:00 pm – 7:00 am) or in **Residential Areas** (between 11:00 pm – 7:00 am):

(1) Loading, unloading, delivering, packing, unpacking, or otherwise handling any containers, produce, materials, or refuse whatsoever.

9 No person shall emit or cause or permit the emission of sound resulting from the operation of a sound emitting pest control device between dusk and dawn.

10 No person shall emit or cause or permit the emission of sound resulting from the use of, any electronic device or group of connected electronic devices incorporating one or more loudspeakers, or other electro-mechanical transducers, and intended for the production, reproduction or amplification of sound outdoors between 11:00pm and 7:00am of the following day.

MEASURED NOISE PROHIBITIONS

11 No person shall emit or cause or permit the emission of sound resulting from:

(1) a **Stationary Source** such that the level of resultant sound at a **Point of Reception** exceeds the applicable sound level limit prescribed in:

- (a) **Publication - N.P.C. 205** – Sound Level Limits for Stationary Sources in Class 1 and 2 Areas (Urban);
 - (b) **Publication – N.P.C. 119** – Blasting; or
 - (c) **Publication – N.P.C. 216** – Residential Air Conditioning Devices.
 - (d) **Publication - N.P.C. 232** – Sound Level Limits for Stationary Sources in Class 3 Areas (Rural);
- (2) **Construction Equipment** such that the level of resultant sound at a **Point of Reception** exceeds the applicable sound level limit prescribed in **Publication – N.P.C. 115** – Construction Equipment.

EXEMPTIONS

12 Notwithstanding any other provision of this by-law, this by-law shall not apply to a person who emits or causes or permits the emission of sound in connection with:

- (1) Any activity carried on at Ivor Wynne Stadium.
- (2) Any activity that is lawfully carried on pursuant to a Special Event Permit issued by the **City** subject to any conditions imposed as a condition of the Special Event Permit and subject to the following conditions (where there is a conflict between a condition imposed under the Special Event Permit and here, the condition imposed under the Special Event Permit shall prevail):
 - (a) A breach of any of the conditions imposed by this Section shall nullify the exemption granted by this Section;
 - (b) A Municipal Law Enforcement Officer shall monitor the activity, at the expense of the Special Event Permit Holder, if deemed appropriate by the Manager of Licensing and Standards, or his/her designate;
 - (c) Any sound created by the activity shall not begin before 11:00 am and shall end at 12:00 midnight on all days of the week, except Sunday, when the sound shall not begin before 12:00 noon and shall end at 10:00 pm; and
 - (d) Any sound created by the activity shall not exceed 90 dba to be determined 10 metres from the **Source of Sound**.

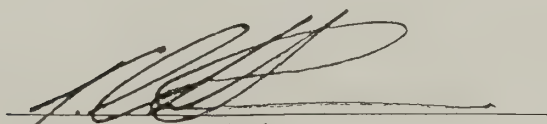
- (3) Any activity, where the person has been granted an exemption by the **City** under Section 15 subject to any conditions imposed as a condition of the exemption and subject to the following conditions:
 - (a) A breach of any of the conditions imposed by this Section shall nullify the exemption granted by this Section.
- (4) Any of the following activities:
 - (a) Operation of **Authorized Emergency Vehicles**;
 - (b) Undertaking emergency measures for the immediate health, safety or welfare of any person or the preservation or restoration of property;
 - (c) Operation of machines or equipment by or on behalf of the City for emergency purposes;
 - (d) Operation of bells, tones or whistles utilized as traffic control devices including those at traffic signal locations and railway crossings;
 - (e) Operation of snow removal equipment while in the operation of snow removal.
 - (f) A normal farm practice carried on as part of an agricultural operation under the Farming and Food Productions Protection Act, 1998, S.O. 1998, c-1.
 - (g) Any activity that is integral to the operations of an airport as such.
- 13 Notwithstanding any other provision of this by-law, Sections 2, 3, 4, 5, 6, 7, 8, 9 and 10 of this by-law shall not apply where the **Source of Sound** is in an Industrial Area.
- 14 Notwithstanding any other provision of this by-law, Sections 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11 of this by-law shall not apply where:
 - (1) the **Source of Sound** is an industrial use within the area identified on the Map attached hereto as Schedule 2, which Schedule forms part of this By-law; and
 - (2) the **Point of Reception** is within the area identified on the Map attached hereto as Schedule 2, which Schedule forms part of this By-law.
- 15 (1) The **Council** may, upon application by any person,
 - (a) exempt the applicant; or

- (b) exempt the applicant on such terms and conditions as it may determine; or
 - (c) refuse to grant any exemption,
- from any provision of this by-law.
- (2) An exemption shall specify the period of time during which the exemption is in effect and may be made upon such terms and conditions as **Council** requires.
 - (3) An application for an exemption under this Section shall be made in the form required by the Manager of Building and Licencing or his/her designate and shall pay any fee required by law.

ENFORCEMENT AND ADMINISTRATION

- 16 **Council** may appoint such Municipal Law Enforcement Officers as are necessary for the purpose of enforcing this by-law.
- 17 Any person who contravenes any provision of this by-law is guilty of an offence and upon conviction, is liable to the penalty specified by the *Provincial Offences Act*, R.S.O. 1990, Chapter P.33, as amended.
- 18 The following By-laws are hereby repealed: The Corporation of the City of Hamilton By-law No. 79-292 and all amendments thereto, Town of Ancaster By-law No. 89-109 and all amendments thereto, Town of Dundas By-law No.'s 3080-79 and 3055-78 and all amendments thereto, Town of Flamborough By-law No. 89-164-N and all amendments thereto, the Corporation of the Township of Glanbrook By-law No. 490-93 and all amendments thereto, the Corporation of the City of Stoney Creek By-law No. 676-78 and all amendments thereto, and City of Hamilton By-law 02-317 and all amendments thereto.
- 19 Administration of this by-law shall be by the staff of the Building and Licensing Division of the Planning and Development Department of the City.

PASSED AND ENACTED this 22nd day of January , 2003.


Clerk


Mayor

SCHEDULE “1”

To By-law No. 03-020

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1.

Publication – N.P.C. 101
Technical Definitions

Technical Definitions1. Technical Terminology and Standards

The following terminology and standards shall be used for the purposes of any Noise Control By-Law enacted pursuant to The Environmental Protection Act and all Publications of the Noise Pollution Control Section of the Pollution Control Branch of the Ministry of the Environment. The definition of any technical word used in such By-Law or this or any such Publication and not herein defined shall be the definition appearing in the applicable Publication of the Canadian Standards Association (CSA), the American National Standards Institute (ANSI), the International Organization for Standardization (ISO), the International Electrotechnical Commission (IEC), the Society of Automotive Engineers (SAE), or the Machinery and Equipment Manufacturers Association of Canada (MEMAC):

(1) Acoustic Calibrator

An "Acoustic Calibrator" is an electro-mechanical or mechanical device intended for the calibration of sound level meters and meeting the specifications of Publication NPC-102

- Instrumentation, for Acoustic Calibrators.

(2) A-Weighting

"A-weighting" is the frequency weighting characteristic as specified in IEC 123 or IEC 179 and intended to approximate the relative sensitivity of the normal human ear to different frequencies (pitches) of sound.

(3) A-weighted Sound Pressure Level

The "A-weighted sound pressure level" is the sound pressure level modified by application of the A-weighting. It is measured in decibels, A-weighted, and denoted dBA.

(4) Beating

"Beating" is the characteristic of a sound which has an audible cyclically varying sound level, caused by the interaction of two sounds of almost the same frequency.

(5) Buzzing Sounds

A "buzzing sound" is a sound which is characterized by the presence of a large number of related discrete harmonics in its frequency spectrum. These harmonics together with the fundamental frequency produce a sound which subjectively is termed a "buzz". Examples are sounds from a buzzer or a chain saw.

(6) Decibel

The "decibel" is a dimensionless measure of sound level or sound pressure level; see sound pressure level.

(7) Effective Sound Pressure

The "effective sound pressure" at a point is the root-mean square value of the instantaneous sound pressure, over a time interval, at the point under consideration as detected with a sound level meter meeting the requirements of Publication NPC-102 - Instrumentation.

(8) Equivalent Sound Level

The "equivalent sound level" sometimes denoted L_{eq} , is the value of the constant sound level which would result in exposure to the same total A-weighted energy as would the specified time-varying sound, if the constant sound level persisted over an equal time interval. It is measured in dBA.

The mathematical definition of equivalent sound level (L_{eq}) for an interval defined as occupying the period between two points in time t_1 and t_2 is:

$$L_{eq} = 10 \log_{10} \frac{1}{t_2 - t_1} \int_{t_1}^{t_2} \frac{p^2(t)}{p_r^2} dt$$

where $p(t)$ is the time varying A-weighted sound pressure and p_r is the reference pressure of 20 μ Pa.

(9) Fast Response

"Fast response" is a dynamic characteristic setting of a sound level meter meeting the applicable specifications of Publication NPC-102 - Instrumentation.

(10) Frequency

The "frequency" of a periodic quantity is the number of times that the quantity repeats itself in a unit interval of time. The unit of measurement is hertz (Hz) which is the same as cycles per second.

(11) General Purpose Sound Level Meter

A "General Purpose Sound Level Meter" is a sound level meter which meets the specifications of Publication NPC-102 - Instrumentation, for General Purpose Sound Level Meters.

(12) Impulse Response

"Impulse response" is a dynamic characteristic setting of a sound level meter meeting the specifications of Publication NPC-102 - Instrumentation, for Impulse Sound Level Meters.

(13) Impulsive Sound

An "impulsive sound" is a single pressure pulse or a single burst of pressure pulses, as defined by IEC 179A, First supplement to IEC 179, Sections 3.1 and 3.2.

(14) Impulse Sound Level

The "impulse sound level" is the sound level of an impulsive sound as measured with an Impulse Sound Level Meter set to impulse response. It is measured in A-weighted decibels, denoted dBAI.

(15) Impulse Sound Level Meter

An "Impulse Sound Level Meter" is a sound level meter which meets the specifications of Publication NPC-102 - Instrumentation, for Impulse Sound Level Meters.

(16) Integrating Sound Level Meter

An "Integrating Sound Level Meter" is a sound level meter which is capable of being used to derive the equivalent sound level (L_{eq}) and which meets the specifications of Publication NPC-102 - Instrumentation, for Type B Integrating Sound Level Meters.

(17) Logarithmic Mean Impulse Sound Level

The "Logarithmic Mean Impulse Sound Level", sometimes denoted L_{LM} , of N impulsive sounds, is ten times the logarithm to the base 10 of the arithmetic mean of ten to the power of one tenth the impulse sound level of each impulsive sound.

Algebraically, it can be written as:

$$L_{LM} = 10 \log_{10} \left[\frac{1}{N} (10^{dBAI_1/10} + 10^{dBAI_2/10} + \dots + 10^{dBAI_N/10}) \right]$$

where, $dBAI_1, dBAI_2, \dots, dBAI_N$, are the N impulse sound levels.

(13) Overpressure

The "overpressure" at a point due to an acoustic disturbance is the instantaneous difference at that point between the peak pressure during the disturbance and the ambient atmospheric pressure. The unit of measurement is the pascal. One pascal, abbreviated Pa, is the same as one newton per square metre, abbreviated N/m^2 .

(19) Overpressure Level

The "overpressure level" is twenty times the logarithm to the base 10 of the ratio of the peak pressure to the reference pressure of 20 μPa .

(20) Peak Particle Velocity

The "peak particle velocity" is the maximum instantaneous velocity experienced by the particles of a medium when set into transient vibratory motion. This can be derived as the magnitude of the vector sum of three orthogonal components and is measured in cm/s .

(21) Peak Pressure Level Detector

A "Peak Pressure Level Detector" is a device capable of measuring peak pressure or pressure level perturbations in air and which meets the specifications of Publication NPC-102 - Instrumentation, for Peak Pressure Level Detectors.

(22) Percentile Sound Level

The "x percentile sound level", designated L_x , is the sound level exceeded x percent of a specified time period. It is measured in dBA.

(23) Quasi-Steady Impulsive Sound

"Quasi-Steady Impulsive Sound" is a sequence of impulsive sounds emitted from the same source, having a time interval of less than 0.5 s between successive impulsive sounds.

(24) Slow Response

"Slow response" is a dynamic characteristic setting of a sound level meter meeting the applicable specifications of Publication NPC-102 - Instrumentation.

(25) Sound

"Sound" is an oscillation in pressure, stress, particle displacement or particle velocity, in a medium with internal forces (e.g. elastic, viscous), or the superposition of such propagated oscillations, which may cause an auditory sensation.

(26) Sound Level

"Sound level" is the A-weighted sound pressure level.

(27) Sound Level Meter

A "sound level meter" is an instrument which is sensitive to and calibrated for the measurement of sound.

(28) Sound Pressure

The "sound pressure" is the instantaneous difference between the actual pressure and the average or barometric pressure at a given location. The unit of measurement is the micropascal (μPa) which is the same as a micronewton per square metre ($\mu\text{N/m}^2$).

(29) Sound Pressure Level

The "sound pressure level" is twenty times the logarithm to the base 10 of the ratio of the effective pressure (p) of a sound to the reference pressure (p_r) of 20 μPa . Thus the sound pressure level in dB = $20 \log_{10} \frac{p}{p_r}$.

(30) Tonality

A "tone" or a "tonal sound" is any sound which can be distinctly identified through the sensation of pitch.

(31) Vibration

"Vibration" is a temporal and spatial oscillation of displacement, velocity or acceleration in a solid medium.

(32) Vibration Velocity Detector

A "Vibration Velocity Detector" is a device which is capable of measuring vibration velocity and which meets the specifications of Publication NPC-102 - Instrumentation, for Vibration Velocity Detectors.

Publication – N.P.C. 102

Instrumentation

Instrumentation1. Scope

This Publication sets out minimum specifications for equipment used for the measurement of sound and vibration. For most of the specifications the International Electrotechnical Commission (IEC) recommended standards 123 (First edition 1961), 179 (Second edition 1973) and 179A (First supplement to IEC 179, published 1973) have been adopted. In some cases, these standards are amended or augmented for greater precision.

TABLE 102-1

NPC-102 Section	Type of Instrument	Application
3	General Purpose Sound Level Meter	Non-impulsive sounds
4	Impulse Sound Level Meter	Impulsive sounds
5	Peak Pressure Level Detector	Peak pressure perturbations
6	Type B Integrating Sound Level Meter	Varying sounds of low crest factor
7	Type A Integrating Sound Level Meter	Varying sounds of high crest factor
8	Vibration Velocity Detector	Peak vibration velocity in solids
9	Acoustic Calibrator	Calibration of sound level meters

2. Technical Definitions

The technical terms used in this Publication are defined in the specifications themselves or in Publication NPC-101 - Technical Definitions.

3. General Purpose Sound Level Meter

(1) Purpose

A General Purpose Sound Level Meter is a sound level meter which is intended to be used for the measurement of non-impulsive sounds, without significant A-weighted acoustic energy above 2000 Hz.

(2) Specifications

A sound level meter which meets the following specifications is a General Purpose Sound Level Meter:

- (a) the sound level meter, including a microphone equipped with a windscreen shall meet the specifications of IEC 123, except that, in addition to meeting the specifications of subclause 5.2 thereof, the microphone of the sound level meter shall also meet the specifications of subclause 5.2 amended by the substitution therein of an angle of incidence of $\pm 30^\circ$ instead of $\pm 90^\circ$, as it therein appears, and by the substitution of Table 102-2 hereof instead of Table 1, as it therein appears;
- (b) the sound level meter shall incorporate A-weighting, which is specified in IEC 123 as optional;
- (c) the sound level meter shall have a minimum usable range of sensitivity of from 40 dBA to 100 dBA and it shall read to an accuracy of ± 1.0 dB over that range;
- (d) a windscreen shall be installed on the microphone and shall not affect by more than 1 dB the tolerance prescribed in clauses (a) and (c);
- (e) the sound level meter, including a microphone equipped with a windscreen, shall, when operated in the presence of wind, indicate a wind-induced sound level not in excess of the relevant value listed in Table 102-3.

4. Impulse Sound Level Meter

(1) Purpose

An Impulse Sound Level Meter is a sound level meter which is intended to be used for the measurement of any sounds, including sounds for which a General Purpose Sound Level Meter may be used.

(2) Specifications

A sound level meter which meets the following specifications is an Impulse Sound Level Meter:

- (a) the sound level meter, including a microphone equipped with a windscreen, shall meet the specifications of a General Purpose Sound Level Meter;

- (b) the sound level meter, including a microphone equipped with a windscreen, shall meet the specifications of IEC 179 and IEC 179A, supplement to IEC 179, including the optional characteristics mentioned in subclause 4.5 of IEC 179A;
- (c) the sound level meter shall incorporate A-weighting as specified in IEC 179.

5. Peak Pressure Level Detector

(1) Purpose

A Peak Pressure Level Detector is a sound level meter which is intended to be used for the measurement of peak pressure perturbations in air. The value indicated by this device is not an average of the pressure level perturbations.

(2) Specifications

A sound level meter which meets the following specifications is a Peak Pressure Level Detector (the features of this device are incorporated in an Impulse Sound Level Meter as specified in section 4 above):

- (a) the microphone of the sound level meter, when equipped with a windscreen, shall perform within a tolerance of ± 1 dB throughout the frequency range of from 5 Hz to 31.5 Hz in the circumstances and conditions for use set out in Table 1 of IEC 179;
- (b) the sound level meter without the microphone shall be capable of providing linear response as specified in subclause 4.5 of IEC 179, within a tolerance of ± 1 dB throughout the frequency range of from 5 Hz to 15 kHz;
- (c) the sound level meter shall incorporate the optional characteristics specified in subclause 4.5 of IEC 179A;
- (d) the sound level meter shall meet the specifications set out in IEC 179 clause 3, subclauses 4.1, 4.2, 4.4, 4.5, 4.7, 4.8, clause 5, subclauses 6.2, 6.3, 6.4, 6.5, 6.8, 6.9, 7.1 through 7.9, 7.11, 8.1, 8.2, 8.3, 8.6 through 8.9, and the appropriate specifications of clause 10.

6. Type B Integrating Sound Level Meter

(1) Purpose

- (a) An Integrating Sound Level Meter is a sound level meter which is intended to be used for the measurement of sound over a period of time, such that the equivalent sound level (L_{eq}) of the sound may be obtained.
- (b) The Type B Integrating Sound Level Meter is specified with sufficient dynamic range and measurement precision to measure equivalent sound levels of general sounds that exceed limitations set out in this by-law.
- (c) Either a Type A or Type B Integrating Sound Level Meter may be used for most such applications, but a Type A Integrating Sound Level Meter must be used when the sound under study

is Quasi-Steady Impulsive Sound (see NPC-103 - Procedures, sections 3 and 4) or when the operational dynamic range greatly exceeds 40 dB.

(2) General Description

The tolerances specified for the microphone, weighting and amplifier of a Type B Integrating Sound Level Meter are the same as those specified for a General Purpose Sound Level Meter in section 3 of this Publication. The computational portions of the instrument must operate within a net accuracy of ± 1 dB for time periods of 20 minutes to one hour over a dynamic range of at least 40 dB with test signals having a crest factor (as defined in IEC 179A) up to 3. An operator-activated switch is included to inhibit the integration function alone and, if the system includes an elapsed-time clock, to inhibit both the integration and time summation functions.

(3) Specifications

A sound level meter which meets the following specifications is a Type B Integrating Sound Level Meter:

- (a) the instrument will generally be a combination of microphone, amplifier, A-weighting network, computation circuit to obtain the integral of the mean square A-weighted pressure, display and a means of inhibiting the integration, but may vary from the above provided that it performs the same functions within the tolerances set out below;
- (b) the instrument may include computational circuitry to calculate and display the equivalent sound level directly;
- (c) the microphone of the instrument shall meet the specifications of clause 5 of IEC 123, except that, in addition to meeting the specifications of subclause 5.2 thereof, the microphone shall also meet the specifications of subclause 5.2 amended by the substitution therein of an angle of incidence of $\pm 30^\circ$ instead of $\pm 90^\circ$, as it therein appears, and by the substitution of Table 102-2 hereof instead of Table 1, as it therein appears;
- (d) a windscreen shall be installed on the microphone during operation and shall not affect by more than 1 dB the tolerance prescribed in clause (c);
- (e) the sound level meter, including a microphone equipped with a windscreen, shall, when operated in the presence of wind, indicate a wind-induced sound level not in excess of the relevant value listed in Table 102-3.
- (f) the A-weighting network shall meet the specifications of Table II and Figure I of IEC 123;
- (g) the amplifier shall meet the specifications of subclauses 7.2, 7.3 and 7.11 of IEC 123;

- (h) for each sensitivity setting of the instrument the amplifier shall have a power handling capacity at least 10 dB greater than the maximum sound level specified for that sensitivity setting;
- (i) if the computation circuit is of the sampling (digital) type, when operating in conjunction with the microphone, windscreen, A-weighting network and amplifier, it shall generate a signal proportional to the mean square A-weighted pressure with a 1 ± 0.25 s exponential averaging time constant;
- (j) the computation circuit shall integrate the mean square A-weighted pressure and shall be capable of doing so on each sensitivity setting for a minimum of 6 minutes at the maximum sound level specified for that sensitivity setting;
- (k) if the computation circuit is not capable of meeting the specification of clause (j) with the reference therein to "6 minutes" changed to "60 minutes", then the device shall be provided with a means to indicate to the operator when the integration capability has been exceeded;
- (l) if the computational circuit is of the sampling (digital) type, sampling shall take place at least twice per second;
- (m) the computation circuit shall operate over the usable dynamic range of the instrument with a linearity of ± 1 dB for any sound with a ratio of peak pressure to root mean square pressure up to 3 (crest factor up to 3);
- (n) an operator-activated switch shall be provided to inhibit integration or, if the instrument has an internal elapsed time clock, to inhibit both integration and accumulation of time;
- (o) the combination of windscreen, microphone, A-weighting network, amplifier and computation circuit shall have a usable dynamic range extending at least from 50 dBA to 90 dBA and the manufacturer shall specify the usable dynamic range;
- (p) the instrument may be provided with more than one sensitivity setting and the manufacturer shall specify the minimum and maximum input sound level for each sensitivity setting;
- (q) if the maximum sound level specified for any sensitivity setting is less than 100 dBA, the system shall include a means of indicating to the operator that the maximum input sound level for that sensitivity setting has been exceeded and such indication shall be maintained until cancelled by the operator;
- (r) the display shall indicate either,
 - (i) an output proportional to the integrated mean square A-weighted pressure, or
 - (ii) the integrated mean square A-weighted pressure divided by the duration of the period of time for which the equivalent sound level is to be determined, or

- (iii) the equivalent sound level for the period of time for which the equivalent sound level is to be determined;
- (s) it shall be possible to read from the display or to calculate from the reading of the display, the equivalent sound level to a resolution of ± 1 dB over the usable dynamic range of the instrument for integration times from 20 minutes to 60 minutes;
- (t) if the indication of the display is as described in subclause (ii) or (iii) of clause (r), the instrument shall include an elapsed-time clock;
- (u) the complete instrument shall follow the recommendations and meet the specifications of subclauses 7.4, 7.5, 7.6, 7.7, 7.8 and 7.9 of IEC 123; and
- (v) the instrument shall include a means of determining whether the battery of the instrument if any, has sufficient life to permit proper operation for a period of at least one hour.

7. Type A Integrating Sound Level Meter

(1) Purpose

- (a) An Integrating Sound Level Meter is a sound level meter which is intended to be used for the measurement of sound over a period of time, such that the equivalent sound level (L_{eq}) of the sound may be obtained.
- (b) The Type B Integrating Sound Level Meter is specified with sufficient dynamic range and measurement precision to measure equivalent sound levels of general sounds that exceed limitations set out in this by-law.
- (c) Either a Type A or a Type B Integrating Sound Level Meter may be used for most such applications, but a Type A Integrating Sound Level Meter must be used when the sound under study is Quasi-Steady Impulsive Sound (see NPC-103 - Procedures, Sections 3 and 4) or when the operational dynamic range greatly exceeds 40 dB.

(2) General Description

The tolerances specified for the microphone, weighting and amplifier of a Type A Integrating Sound Level Meter are the same as those specified for a General Purpose Sound Level Meter in section 3 of this Publication. The computational portions of the instrument must operate within a net accuracy of ± 1 dB for time periods of 20 minutes to one hour over a dynamic range of at least 80 dB with test signals having a crest factor (as defined in IEC 179A) up to 5. An operator activated switch is included to inhibit both the integration and time summation functions.

(3) Specifications

A sound level meter which meets the following specifications is a Type A Integrating Sound Level Meter:

- (a) the sound level meter shall meet the specifications of a Type B Integrating Sound Level Meter;
- (b) the instrument shall be provided with an internal elapsed-time clock;
- (c) for each sensitivity setting of the instrument, the amplifier shall have a power handling capacity at least 14 dB greater than the maximum sound level specified for that sensitivity setting;
- (d) the computation circuit shall operate over the usable dynamic range of the instrument with a linearity of ± 1 dB for any sound with a ratio of peak pressure to root mean square pressure up to 5 (Crest Factor up to 5); and
- (e) the combination of windscreen, microphone, A-weighting network, amplifier and computation circuit shall have a usable dynamic range extending at least from 40 dBA to 120 dBA.

8. Vibration Velocity Detector

(1) Purpose

A Vibration Velocity Detector is a device intended to be used for the measurement of the peak particle velocity of a solid surface.

(2) Specifications

A device which meets the following specifications is a Vibration Velocity Detector:

- (a) the device shall include either a transducer which responds to the total vibration vector or three transducers which have their axes of maximum sensitivity mutually orthogonal $\pm 1^\circ$;
- (b) where three transducers are used to measure three mutually orthogonal components of vibration, the response of any one of the transducers to vibration in the plane normal to its axis of maximum sensitivity shall be less than 10% of its response to the same vibration along its axis of maximum sensitivity;
- (c) the output of the device shall be proportional to the velocity of the surface on which the transducer is, or the transducers are, mounted and the output of the device shall be in such form that the device indicates, or can be used to calculate, the peak particle velocity in the frequency range of from 5 Hz to 500 Hz over a range of peak particle velocity of from 0.25 cm/s to 10 cm/s with a tolerance of $\pm 10\%$; and

- 15.
- (c) it shall be possible to field-calibrate the device with an accuracy of $\pm 5\%$ using either a reference electrical signal in series with the equivalent transducer impedance or a reference vibration source.

9. Acoustic Calibrator

(1) Purpose

An Acoustic Calibrator is an electro-mechanical or mechanical device which produces sound of a known frequency and which, when coupled to a sound level meter, produces a predictable response in the sound level meter if the sound level meter is operating properly at the calibration frequency.

(2) Specifications

A device, capable of producing sound, which meets the following specifications is an Acoustic Calibrator:

- (a) the device shall be capable of being physically attached to a sound level meter in such a way that the device and the sound level meter are "acoustically coupled", that is, sound from the device is transmitted through the air by way of a chamber formed by the attachment of the device to the microphone of the sound level meter;
- (b) the device shall produce sound of a stated frequency, within a frequency tolerance of $\pm 5\%$;
- (c) the manufacturer of the device shall provide with the device, any data required in order to determine the sound level reading which should be indicated on the sound level meter when calibrated for those microphone and sound level meter types with which the manufacturer recommends the device be used. Where additional accessories must be used to provide this sound level reading, the manufacturer shall state that they must be used;
- (d) the maximum tolerance in the sound pressure level generated by the device when coupled to the microphone shall apply over an atmospheric pressure range of 87 kPa to 107 kPa, and shall be ± 0.5 dB over the temperature range of from 0°C to 40°C and ± 1.0 dB over the temperature range of from -10°C to 50°C ;
- (e) if the device is battery powered, means for checking the battery condition shall be included with the device;
- (f) the following data shall be provided with the device by the manufacturer,
 - (i) the nominal sound pressure level produced,
 - (ii) the nominal frequency at which the device operates,
 - (iii) the ranges of temperature and atmospheric pressure over which the device is intended to operate, and the applicable overall sound pressure level tolerance for these ranges.

TABLE 102-2

Permissible Tolerances on Microphone Sensitivity
Over an Angle of $\pm 30^\circ$

Frequency Hz	Permissible Tolerances dB	
	A*	B**
31.5 - 500	± 1	± 1
1000	± 1	± 1
2000	± 2	+ 1 - 2
4000	± 4	+ 1 - 4
8000	± 10	+ 1 - 10

* COLUMN A: The microphone is mounted on the sound level meter.

** COLUMN B: The microphone is physically separated from the sound level meter but electrically connected thereto.

TABLE 102-3

Maximum Wind Induced Sound Level Indication Using A-weighting and
Slow Response (where available)

Wind Speed	dBA
15 km/h	41
20 km/h	48
25 km/h	53

Publication – N.P.C. 103

Procedures

Publication NPC-103Procedures1. Scope

This Publication comprises the various measurement procedures to be used in connection with other Publications which provide limits or standards for sound or vibration. Several of the procedures adopted are those of nationally or internationally recognized agencies. Table 103-1 lists the measurement procedures which are included in this Publication.

TABLE 103-1

NPC-103		
Section	Type of Measurement	Procedure
3	Steady or impulsive sound	Ministry
4	Varying sound	Ministry
5	Sound and vibration from blasting	Ministry
6	Powered mobile construction equipment	SAE J88a
7	Pneumatic equipment	MEMAC
8	Small engines	SAE J1046
9	Trucks with governed diesel engines	CSA Z107.22-M

2. Technical Definitions

The technical terms used in a procedure shall have the meaning given either in that procedure or in Publication NPC-101 - Technical Definitions.

19.
3. Procedure for Measurement of Steady or Impulsive Sound

(1) (a) Classification

For the purposes of this procedure sounds can conveniently be placed in four mutually exclusive categories as follows:

- (i) impulsive sounds, other than Quasi-Steady Impulsive Sounds, such as, but not limited to, the sound from gunshots, certain explosive pest control devices and certain industrial metal working operations (e.g. forging, hammering, punching, stamping, cutting, forming and moulding);
- (ii) Quasi-Steady Impulsive Sounds, such as, but not limited to, the sound from pavement breakers, riveting guns, ineffectively muffled internal combustion engines or ineffectively muffled air compressors;
- (iii) buzzing sounds, such as, but not limited to, the sounds from positive displacement blowers, chain saws, small combustion engines and concrete finishers;
- (iv) all other sounds.

(b) Application

This procedure applies to measurements at a point of reception of:

- (i) sound of a type mentioned in category (i) or (ii) of clause (a); and
- (ii) sound of a type mentioned in categories (iii) or (iv) of clause (a), which is always higher than the permissible level or which, when the sound is present, does not vary in level over a range of more than 6 dB during the period of observation.

(2) Instrumentation

(a) Sound Level Meter

- (i) An Impulse Sound Level Meter shall be used for the measurement of sound in category (i), (ii) or (iii) of clause 3(1) (a).

- (ii) A General Purpose Sound Level Meter shall be used for the measurement of sound in category (iv) of clause 3(1) (a).

NOTE: An Integrating Sound Level Meter may be used for the measurement of sound in category (iv) of clause 3(1) (a), but the procedure set out in section 4 - Procedure for Measurement of Varying Sound must be used.

(b) Calibrator

An Acoustic Calibrator shall be used.

(c) Windscreen

A windscreen shall be used in all outdoor measurements.

Measurement Location

For sound transmitted solely through air, the measurement location shall be one or more of the following points of reception:

- (a) a location out-of-doors where a person may be exposed to the sound; or
- (b) the plane of an exterior door or window of a room in which a person may be exposed to the sound, where the door or window is open.

(4) Use of Instrumentation

(a) Battery Check

If the sound level meter is battery powered the condition of the battery shall be checked after the meter has been allowed to warm up and stabilize. The battery condition shall be rechecked at least once per hour during a series of measurements and at the conclusion of such measurements. The meter shall not be used unless the battery condition is confirmed to be within the range recommended by the manufacturer for proper operation.

(b) Calibration

The sound level meter shall be calibrated after the meter has been allowed to warm up and stabilize, at least once per hour during a series of measurements and at the conclusion of such measurements.

(c) Sound Level Meter Settings

Measurements shall be taken using the following response settings:

(i) Impulse Response (dBAI)

The impulse response and A-weighting shall be used for impulsive sound in category (i) of clause 3 (1)(a). An 'impulse hold' facility may be used if available on the meter.

(ii) Slow Response (dBA)

The slow response and A-weighting shall be used for sound in categories (ii), (iii) or (iv) of clause 3 (1)(a).

(d) Instrument Configuration

(i) Reflective Surfaces

The microphone shall be located not less than 1 m above the ground, not less than 1 m from any sound reflective surface except for the purposes of clause 3(3)(b) and not less than arm's length from the body of the person operating the meter. Not more than one person, other than the operator of the meter, shall be within 7 m of the microphone and that person shall be behind the operator of the meter.

For the case of clause 3(3)(b) the microphone shall be in the middle of the aperture located not less than 15 cm from the window frame or door frame.

(ii) Microphone Orientation

The microphone shall be oriented such that the sound to be measured is incident at an angle recommended by the microphone manufacturer for flattest frequency response in a free field.

(e) Measurement - Slow Response

(i) Readings Taken

For sound in categories (ii), (iii) or (iv) of clause 3 (1)(a), a minimum of three observations with a minimum observation time of 15 s each shall be made. The observed average reading for each of the observations shall be noted as well as the minimum and the maximum of the range of sound levels during each observation period. If the difference between any two observed average readings is greater than 3 dB, a minimum of six observations shall be made. For the purpose of adjustments for intermittency the duration of the sound in any one hour shall be noted.

(ii) Readings Reported

The arithmetic mean of the observed average readings shall be reported, rounded to the nearest decibel. Adjustments for intermittence and quality of sound shall be made in accordance with Publication NPC-104 - Sound Level Adjustments, and the result shall be reported. The result is the one hour equivalent sound level (L_{eq}) of the sound under study for any one hour period during which the readings were taken pursuant to subclause (i).

(iii) Wide Variation of Sound Levels

If, in making observations pursuant to subclause (i), there is a difference of more than 6 dB between the lowest and highest values of the observed ranges of sound levels, this procedure shall not be used unless the lower limit of each such range is above the maximum permissible level. Instead, the procedure set out in Section 4 - Procedure for Measurement of Varying Sound at a point of reception, shall be used.

Measurement - Impulse Response - Frequent Impulses

(i) Readings Taken

For sound in category (i) of clause 3 (1) (a) not less than 20 impulses shall be measured within a continuous period of 20 minutes and each measurement taken shall be reported.

(ii) Extension of Time

Where a minimum of 20 impulses cannot be measured within a continuous period of 20 minutes pursuant to subclause (i) the time period may be extended to 2 hours if an impulse occurred in each of the four consecutive periods of five minutes each during the initial 20 minute measurement period.

(iii) Level Reported

The Logarithmic Mean Impulse Sound Level (L_{LM}) of the 20 or more measurements shall be calculated and reported to the nearest decibel. This Logarithmic Mean Impulse Sound Level is a valid and effective sound level for any one hour period during which readings were taken pursuant to subclauses (i) and (ii).

(g) Measurement - Impulse Response - Single Event

Readings Taken and Reported

For impulsive sounds in category (i) of clause 3(1)(a), that occur as single, seemingly independent events not normally measurable using the procedure set out in clause (f) for frequent impulses, each impulse shall be independently measured and each impulse sound level reported to the nearest decibel.

(h) Variation in Calibration

Measurements shall not be reported if the sound level meter calibration has changed more than 0.5 dB from the previous calibration.

(i) Weather Conditions

(i) Wind

Measurements shall not be taken unless the wind-induced sound level is more than 10 dB below the measured levels. Reference should be made to Publication NPC-102 - Instrumentation, particularly Table 102-3.

(ii) Humidity

Measurements shall not be taken if the relative humidity is above the maximum for which the meter specification is guaranteed by the manufacturer (normally 90%).

(iii) Precipitation

Measurements shall not be taken during precipitation.

(iv) Temperature

Measurements shall not be taken when the air temperature is outside the range for which the specification of the instrument is guaranteed by the manufacturer. (Normally, only the lower temperature limit is significant).

13. Documentation

23.

The following represents the minimum information which shall be contained in a report of an investigation where the above procedure was used. (Adapted from CSA Z107.2-1973 Methods for the Measurement of Sound Pressure Levels.)

(a) Acoustic Environment

- (i) Location and description of sound sources.
- (ii) Dimensioned sketch including photographs, if possible, of the location of the sound source and the point of reception, showing all buildings, trees, structures and any other sound reflective surfaces.
- (iii) Physical and topographical description of the ground surface.
- (iv) Meteorological conditions prevailing at the time of the investigation including approximate local wind speed in km/h, wind direction, air temperature in °C, approximate relative humidity and extent of cloud cover.

(b) Instrumentation

All the equipment used for making sound level measurements shall be listed, including:

- (i) type, model and serial number of sound level meter;
- (ii) type, model and serial number of microphone;
- (iii) type, model and serial number of Acoustic Calibrator;
- (iv) extension cables and additional amplifier, if used.

(c) Acoustical Data

The measurement details shall be described, including:

- (i) the location of the microphone, using a sketch if necessary;
- (ii) measurements or readings obtained, preferably listed in tabular form, referencing location on a sketch or map, time periods involved, and relevant data required for making calculations;
- (iii) adjustments made for quality of sound or intermittence;
- (iv) details of any calculations;
- (v) comparison with applicable sound level limits, standards or guidelines.

Use of Instrumentation

(a) Battery Check

If the Integrating Sound Level Meter uses a battery, the condition of the battery shall be checked before each measurement, and measurement shall not commence unless the battery has sufficient life remaining to permit proper operation for a period of at least one hour.

(b) Calibration

The Integrating Sound Level Meter shall be calibrated before and after each measurement period.

(c) Instrument Configuration

(i) Reflective Surfaces

The microphone shall be located not less than 1 m above the ground, not less than 1 m from any sound reflective surface except for the purposes of subclause 4(3)(a)(ii) and not less than arm's length from the body of the person operating the meter. Not more than one person, other than the operator of the meter, shall be within 7 m of the microphone and that person shall be behind the operator of the meter. For the case of subclause 4(3)(a)(ii) the microphone shall be in the middle of the aperture located not less than 15 cm from the window frame or door frame.

(ii) Microphone Orientation

The microphone shall be oriented such that the sound to be measured is incident at an angle recommended by the microphone manufacturer for flattest frequency response in a free field.

(d) Extraneous Sources

When measuring the sound from a source, integration shall from time to time be inhibited by the operator immediately when the received sound is dominated by sound from a source other than the source under study and it shall remain inhibited while such a condition persists and for at least 10 seconds thereafter. While integration is inhibited the elapsed time used to calculate the equivalent sound level shall not be allowed to accumulate.

(e) Timing

If the Integrating Sound Level Meter is not provided with an internal elapsed-time clock, the operator shall accumulate the elapsed time during the measurement period by means of a stop-watch or other time measuring device.

(f) Readings

(i) Stationary Source

When measuring the sound from a stationary source, measurements to be used in calculating results shall be taken during a continuous period not in excess of one hour and, for purposes of calculation and reporting of

results, the accumulated elapsed time of measurement as obtained in accordance with clause (d) is deemed to be one hour if the accumulated time is 20 minutes or more. Measurements containing information from an accumulated time period of less than 20 minutes are insufficient for purposes of calculating the equivalent sound level (L_{eq}) of a stationary source.

(ii) Road Traffic Noise Sources

When measuring the sound from road traffic the accumulated elapsed time obtained in accordance with clause (d) shall not be less than twenty minutes and the actual accumulated elapsed time of measurement shall be used for purposes of calculation.

(g) Adjustments

Adjustments for quality of sound shall be made in accordance with Publication NPC-104 - Sound Level Adjustments and the result reported. No adjustment shall be made for intermittence.

(h) Variation in Calibration

A measurement shall not be reported if the Integrating Sound Level Meter calibration after the measurement period is more than 0.5 dB different from that before the measurement commenced.

(i) Weather Conditions

(i) Wind

Measurements shall not be made unless the wind-induced sound level is more than 10 dB below the measured levels. Reference should be made to Publication NPC-102-Instrumentation and particularly Table 102-3.

(ii) Humidity

Measurements shall not be taken if the relative humidity is above the maximum for which the meter specification is guaranteed by the manufacturer (normally 90%).

(iii) Precipitation

Measurements shall not be taken during precipitation.

(iv) Temperature

Measurements shall not be taken when the air temperature is outside the range for which the specification of the instrument is guaranteed by the manufacturer. (Normally, only the lower temperature limit is significant.)

(j) Readings Reported

- (i) For sound from a stationary source, the value to be reported based on measurements made during the accumulated elapsed time of 20 minutes or more and the time period for calculation which is one hour is, after adjustment in accordance with clause (g), the one hour equivalent sound level (L_{eq}) of the sound under study for any one hour period during which measurements were taken pursuant to subclause 4(4)(f).

For sound from road traffic, the value to be reported based on measurements made during the accumulated elapsed time of 20 minutes or more and the time period for calculation which is the actual accumulated elapsed time, is the one hour equivalent sound level (L_{eq}) of the sound under study for any one hour period during which measurements were taken pursuant to subclause 4(4)(f)(ii).

(iii) The one hour equivalent sound level (L_{eq}) shall be reported to the nearest decibel.

(5) Documentation

The following represents the minimum information which shall be contained in a report of an investigation where the above procedure was used.

(Adapted from CSA Z107.2-1973 Methods for the Measurement of Sound Pressure Levels.)

(a) Acoustic Environment

(i) Location and description of sound sources.

(ii) A list of the types of extraneous noise sources which caused integration to be inhibited during measurement.

(iii) Dimensioned sketch including photographs, if possible, of the location of the sound source and the point of reception, showing all buildings, trees, structures and any other sound reflective surfaces.

(iv) Physical and topographical description of the ground surface.

(v) Meteorological conditions prevailing at the time of the investigation including approximate local wind speed in km/h, wind direction, air temperature in $^{\circ}\text{C}$, approximate relative humidity and extent of cloud cover.

(b) Instrumentation

All the equipment used for making sound level measurements shall be listed, including:

(i) type, model and serial number of Integrating Sound Level Meter;

(ii) type, model and serial number of microphone;

(iii) type, model and serial number of Acoustic Calibrator;

(iv) extension cables and additional amplifier, if used.

(c) Acoustical Data

The measurement details shall be described, including:

(i) the location of the microphone, using a sketch if necessary;

(ii) the continuous time period of observation;

(iii) the accumulated elapsed time of measurement following the procedure of clauses 4(4)(d) and (e);

- iv) the Integrating Sound Level Meter reading or output and any other relevant data required for calculations;
- v) adjustments made for quality of sound;
- vi) details of all calculations;
- (vii) the equivalent sound levels obtained, preferably listed in tabular form, referencing location on a sketch or map;
- (viii) comparison with applicable sound level limits, standards or guidelines.

E. Procedure for Measurement of Sound and Vibration
Due to Blasting Operations

(1) Application

This procedure applies to the measurement of sound (concussion) and vibration due to blasting operations.

(2) Sound

(a) Instrumentation

(i) Measuring Device

A Peak Pressure Level Detector shall be used.

(ii) Calibrator

An Acoustic Calibrator shall be used.

(iii) Windscreen

A windscreen shall be used in all outdoor measurements.

(b) Measurement Location

The measurement location shall be at a point of reception out-of-doors within 7 m of a building.

(c) Use of Instrumentation

(i) Battery Check

If the measuring device is battery powered, the condition of the battery shall be checked after the device has been allowed to warm up and stabilize and after each measurement has been made. The device shall not be used unless the battery condition is confirmed to be within the range recommended by the manufacturer for proper operation.

(ii) Calibration

The measuring device shall be calibrated after it has been allowed to warm up and stabilize and after each measurement has been made.

(iii) Meter Setting

The measuring device shall be set to read the peak pressure level using linear response and a 'hold' facility, if available.

(d) Instrument Configuration

(i) Reflective Surfaces

The microphone shall be located not less than 1 m above the ground, not less than 1 m from any sound reflective surface and not less than arm's length from the body of the person operating the device. Not more than one person, other than the operator of the meter, shall be within 7 m of the microphone and that person shall be behind the operator of the meter.

(d) Microphone Orientation

The microphone shall be oriented such that the concussion wave to be measured is incident at an angle recommended by the microphone manufacturer for flattest frequency response in a free field.

(e) Readings

(i) Peak Pressure Level

The value of peak pressure level reported shall be given to the nearest decibel.

(ii) Variation in Calibration

A measurement shall not be reported if the meter calibration after the measurement is more than 0.5 dB different from that before the measurement.

(iii) Battery Deterioration

A measurement shall not be reported if the battery condition after the measurement is not within the range recommended by the manufacturer for proper operation.

(f) Weather Conditions

(i) Wind

Measurements shall not be reported unless the wind-induced sound pressure level is more than 10 dB below the measured peak pressure level. Reference should be made to Publication NPC-102 - Instrumentation.

(ii) Humidity

Measurements shall not be taken if the relative humidity is above the maximum for which the meter specification is guaranteed by the manufacturer (normally 90%).

(iii) Precipitation

Measurements shall not be taken during precipitation.

(iv) Temperature

Measurements shall not be taken when the air temperature is outside the range for which the meter specification is guaranteed by the manufacturer. (Normally only the lower temperature limit is significant.)

(3) Vibration

(a) Instrumentation

(i) Measuring Device

A Vibration Velocity Detector shall be used.

(ii) Calibrator

An electrical reference signal of known voltage and frequency shall be used in the field for calibration of the Vibration Velocity Detector excluding the transducer. A reference vibration source shall be used for laboratory calibration of the complete Vibration Velocity Detector.

(c) Measurement Location

Vibration measurements shall be made at a point of reception inside a building below grade or less than 1 m above grade, preferably on a basement floor close to an outside corner.

(c) Use of Instrumentation

(i) Battery Check

If the measuring device is battery powered, the condition of the battery shall be checked after the device has been allowed to warm up and stabilize and after each measurement has been made. The device shall not be used unless the battery condition is confirmed to be within the range recommended by the manufacturer for proper operation.

(ii) Calibration

Field calibration shall be carried out before and after each measurement. Laboratory calibration of the complete Vibration Velocity Detector as used in the field, including the transducer, shall be carried out not less than once per calendar year and the results certified.

(d) Instrument Configuration

(i) Mounting

The transducer shall be affixed to a part of the structure so as to prevent movement of the transducer relative to the structure. The preferred structural element is the basement floor as indicated in clause (b).

(ii) Transducer Orientation

If three vector components of vibration velocity are recorded individually, it is preferable to orient the transducers such that the three axes of measurement are (a) vertical, (b) radial (along a horizontal line joining the location of the blast to the location of measurement) and, (c) transverse (along a horizontal line at right angles to the line joining the location of the blast to the location of measurement).

(e) Readings

(i) Peak Particle Velocity

The peak particle velocity in cm/s shall be reported.

(ii) Variation in Calibration

A measurement shall not be reported if calibration after the measurement is more than 5% different from that before the measurement.

Battery Deterioration

A measurement shall not be reported if the battery condition after the measurement is not within the range recommended by the manufacturer for proper operation.

(4) Documentation

The following represents the minimum information which shall be contained in a report of an investigation where the above procedure was used.

(a) Description of Area

- (i) Location and description of the blasting operation.
- (ii) Dimensioned sketch including photographs, if possible, of the location of the blasting operation, the nearest premises and the measurement location.
- (iii) Description of the measurement location.
- (iv) Physical and topographical description of the ground surface.
- (v) Meteorological conditions at the time of the investigation, including approximate wind speed in km/h, wind direction, air temperature in degrees Celsius, approximate relative humidity, degree of cloud cover, and whether or not a condition of thermal inversion prevailed.

(b) Instrumentation

All the equipment used for making sound and vibration measurements shall be listed, including:

- (i) type, model and serial number of Peak Pressure Level Detector;
- (ii) type, model and serial number of microphone;
- (iii) type, model and serial number of Acoustic Calibrator;
- (iv) windscreen;
- (v) extension cables and additional amplifiers, if used;
- (vi) type, model and serial number of Vibration Velocity Detector;
- (vii) type, model and serial number of transducers.
- (viii) type, model and serial number of vibration calibrator.

(c) Sound and Vibration Data

The measurement details shall be described, including:

- (i) the location where measurements were taken, the time period involved and the orientation of instrumentation using a sketch, if necessary;
- (ii) details of all calculations;
- (iii) the peak pressure level in dB and/or peak particle velocity in cm/s;
- (iv) comparison with applicable peak pressure limits and/or peak particle velocity limits.

6. Exterior Sound Level Measurement Procedure For
Powered Mobile Construction Equipment - SAE J88a

SAE J88a Recommended Practice is adopted by the Ministry with the following change:

Where ANSI Type 1 sound level meter specification is referred to, reference shall be made instead to Publication IEC-179 (1973) for Precision sound level meters. (General Purpose Sound Level Meter)

7. MEMAC Test Code For the Measurement of Sound
From Pneumatic Equipment

The MEMAC Test Code For The Measurement Of Sound From Pneumatic Equipment is adopted by the Ministry with the following additional requirement:

For measurement of percussive machines the sound level meter used shall meet the specifications of IEC Publications 179 and 179A (1973). (Impulse Sound Level Meter)

8. Exterior Sound Level Measurement Procedure For
Small Engine Powered Equipment - SAE J 1046

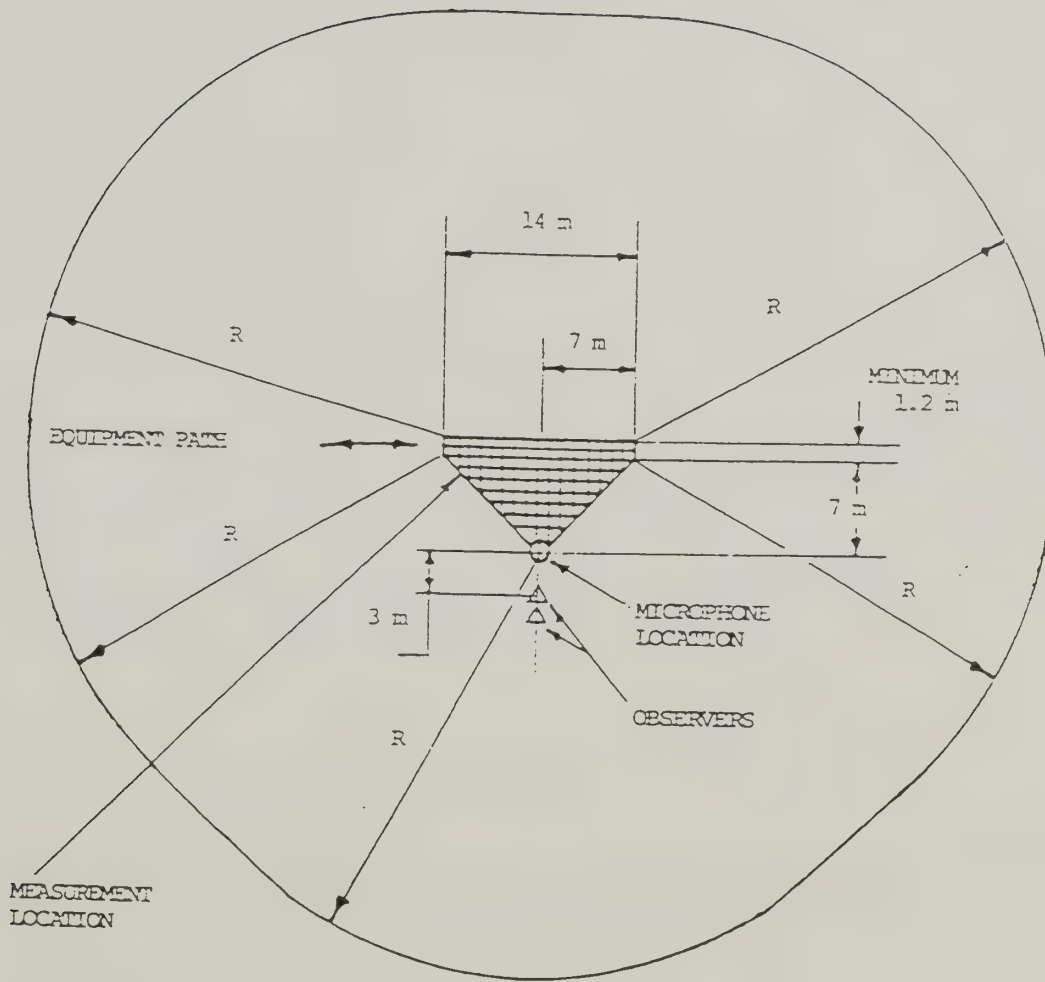
SAE J 1046 - Recommended Practice, is adopted by the Ministry with the following changes:

- (1) Where ANSI Type 1 sound level meter specification is referred to, reference shall be made instead to IEC Publications 179 and 179A (1973). (Impulse Sound Level Meter)
- (2) Replace clause 3.1.1 with the following:
The minimum dimensions of the measurement zone are defined as a path of travel 1.2 m wide by 14 m long plus an adjacent area having the base along the edge of the path of travel and the apex 7 m from the midpoint of the base.
- (3) Replace Fig. 1 with Fig. 103-1, hereof.
- (4) In section 3.3 Measurements, all references to 25 ft. shall be changed to 7 m.

9. Procedure for Measurement of the Maximum Exterior Sound Level
of Stationary Trucks with Governed Diesel Engines-CSA Z107.22-M1977

- (1) CSA Z107.22-M1977 standard is adopted by the Ministry with the following change:

A General Purpose Sound Level Meter shall be used.



REF. US EPA 550/9-74-011

R = 30 m MINIMUM RADIUS

TEST SITE CONFIGURATION FOR EXTERIOR SOUND LEVEL MEASUREMENT

PROCEDURE FOR SMALL ENGINE POWERED EQUIPMENT - SAE J 1046

FIG. 103-1

Publication – N.P.C. 104
Sound Level Adjustments

Sound Level Adjustments1. Scope

This Publication refers to the adjustment of a sound level obtained following the procedures set out in either section 3 or 4 of NPC-103 - Procedures.

2. Technical Definitions

The technical terms used in this Publication are defined in Publication NPC-101 - Technical Definitions.

3. Intermittence

If a sound is intermittent, the following adjustment shall be subtracted from the observed value:

$$\text{Adjustment} = 10 \log_{10} \frac{1}{x}$$

where x is the fraction of an hour
for which the sound persists.

Such sound level adjustments are approximated in Table 104-1.

4. Adjustment for Special Quality of Sound(1) Tonality

If a sound has a pronounced audible tonal quality such as a whine, screech, buzz, or hum then the observed value shall be increased by 5.

(2) Cyclic Variations

If a sound has an audible cyclic variation in sound level such as beating or other amplitude modulation then the observed value shall be increased by 5.

(3) Quasi-Steady Impulsive Sound

If a sound is Quasi-Steady Impulsive Sound then the observed value shall be increased by 10.

(4) One Adjustment Only

An adjustment may be made under one only of subsections (1), (2) and (3), providing that, if subsection (3) applies, it shall be used in preference to subsection (1) or subsection (2).

TABLE 104-1
Adjustment for Intermittence

Duration of Sound In One Hour (Minutes)	Adjustment
40 - 60	0
20 - 39	3
10 - 19	6
5 - 9	9
3 - 4	12
1 - 2	15
less than 1	20

Publication N.P.C. 115
Construction Equipment

Construction Equipment1. Scope

This Publication sets sound emission standards for various items of new construction equipment according to the date of manufacture of the equipment.

2. Technical Definitions

The technical terms used in this Publication are defined in Publication NPC-101 - Technical Definitions.

3. Sound Emission Standards

Tables 115-1 to 115-4 inclusive list Residential Area sound emission standards and Quiet Zone sound emission standards for specific items of new construction equipment measured in accordance with the procedures indicated.

TABLE 115-1

Quiet Zone and Residential Area Sound Emission Standards for
Excavation Equipment, Dozers, Loaders, Backhoes or
Other Equipment Capable of Being Used for
Similar Application

Maximum Sound Level as determined using Publication NPC-103 -- Procedures, section 6		
	dBA	
	Power Rating	Power Rating
Date of Manufacture	Less than 75 kW	75 kW and larger
January 1, 1979 to December 31, 1980	85	88
January 1, 1981 and after	83	85

TABLE 115-2

40.

Sound Emission Standards for Pneumatic Pavement Breakers

Standard	Date of Manufacture	Maximum Sound Level as measured using Publication NPC-103 - Procedures, section 7 dBA
Quiet Zone Sound Emission and after Standard	Jan. 1, 1979	85
Residential Area Sound Emission Standard	Jan. 1, 1979 to Dec. 31 1980 Jan. 1, 1981 and after	90 85

TABLE 115-3

Sound Emission Standards for Portable Air Compressors

Standard	Date of Manufacture	Maximum Sound Level as measured using Publication NPC-103 - Procedures, section 7 dBA
Quiet Zone Sound Emission to Dec. 31, 1980 Standard	Jan. 1, 1979	76
	Jan. 1, 1981 and after	70
Residential Area Sound Emission Standard	Jan. 1, 1979 and after	76

Sound Emission Standard for Tracked Drills

Standard	Date of Manufacture	Maximum Sound Level as measured using Publication NPC-103 - Procedures, section 6. dBA
Quiet Zone and Residential Area Sound Emission Standard	Jan. 1, 1981 and after	100

Publication – N.P.C. 119

Blasting

Blasting

1. Scope
This Publication refers to limits on sound (concussion) and vibration due to blasting operations.
2. Technical Definitions
The technical terms used in this Publication are defined in Publication NPC-101 - Technical Definitions.
3. Measurement Procedures
All measurements of peak pressure level and vibration velocity shall be made in accordance with the "Procedure for Measurement of Sound and Vibration due to Blasting Operations" set out in Publication NPC-103 - Procedures, section 5.
4. Concussion - Cautionary Limit
Subject to section 5 the peak pressure level limit for concussion resulting from blasting operations in a mine or quarry is 120 dB.
5. Concussion - Peak Pressure Level Limit
If the person in charge of a blasting operation carries out routine monitoring of the peak pressure level, the peak pressure level limit for concussion resulting from blasting operations in a mine or quarry is 128 dB.
6. Vibration - Cautionary Limit
Subject to section 7, the peak particle velocity limit for vibration resulting from blasting operations in a mine or quarry is 1.00 cm/s.
7. Vibration - Peak Particle Velocity Limit
If the person in charge of a blasting operation carries out routine monitoring of the vibration the peak particle velocity limit for vibration resulting from blasting operations in a mine or quarry is 1.25 cm/s.

Publication – N.P.C. 205

Sound Level Limits for Stationary Sources
In Class 1 and 2 Areas (Urban)

SOUND LEVEL LIMITS FOR
STATIONARY SOURCES IN
CLASS 1 & 2 AREAS (URBAN)

PUBLICATION NPC-205

OCTOBER 1995



Ministry
of the
Environment

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Sound Level Limits for Stationary Sources in Class 1 & 2 Areas (Urban)

Publication NPC-205

October 1995

This Publication establishes sound level limits for stationary sources such as industrial and commercial establishments or ancillary transportation facilities, affecting points of reception in Class 1 and 2 Areas (Urban). It replaces Publication NPC-105 "Stationary Sources" of the "Model Municipal Noise Control By-Law, Final Report, August 1978".

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1. SCOPE

This Publication establishes sound level limits for stationary sources such as industrial and commercial establishments or ancillary transportation facilities, affecting points of reception in Class 1 and 2 Areas (Urban). The limits apply to noise complaint investigations carried out in order to determine potential violation of Section 14 of the Environmental Protection Act. The limits also apply to the assessment of planned stationary sources of sound in compliance with Section 9 of the Environmental Protection Act, and under the provisions of the Aggregate Resources Act and the Environmental Assessment Act.

This Publication does not address sound and vibration produced by blasting; blasting in quarries and surface mines is considered in Reference [7].

The Publication includes an Annex, which provides additional details, definitions and rationale for the sound level limits.

2. REFERENCES

Reference is made to the following publications:

- [1] NPC-101 - Technical Definitions
- [2] NPC-102 - Instrumentation
- [3] NPC-103 - Procedures
- [4] NPC-104 - Sound Level Adjustments
- [6] NPC-206 - Sound Levels due to Road Traffic
- [7] NPC-119 - Blasting
- [8] NPC-216 - Residential Air Conditioning Devices
- [9] NPC-232 - Sound Level Limits for Stationary Sources in Class 3 Areas (Rural)
- [10] NPC-233 - Information to be Submitted for Approval of Stationary Sources of Sound
- [12] ORNAMENT, Ontario Road Noise Analysis Method for Environment and Transportation, Technical Document, Ontario Ministry of the Environment, ISBN 0-7729-6376, 1989

References [1] to [4] and [7] can be found in the
Model Municipal Noise Control By-Law, Ontario Ministry of the Environment, Final Report, August 1978.

3. TECHNICAL DEFINITIONS

"Ambient sound level"
means Background sound level.

"Background sound level"
is the sound level that is present in the environment, produced by noise sources other than the source under impact assessment. Highly intrusive short duration noise caused by a source such as an aircraft fly-over or a train pass-by is excluded from the determination of the background sound level.

"Class 1 Area"
means an area with an acoustical environment typical of a major population centre, where the background noise is dominated by the urban hum.

"Class 2 Area"

means an area with an acoustical environment that has qualities representative of both Class 1 and Class 3 Areas, and in which a low ambient sound level, normally occurring only between 23:00 and 07:00 hours in Class 1 Areas, will typically be realized as early as 19:00 hours.

Other characteristics which may indicate the presence of a Class 2 Area include:

- absence of urban hum between 19:00 and 23:00 hours;
- evening background sound level defined by natural environment and infrequent human activity; and
- no clearly audible sound from stationary sources other than from those under impact assessment.

"Class 3 Area"

means a rural area with an acoustical environment that is dominated by natural sounds having little or no road traffic, such as the following:

- a small community with less than 1000 population;
- agricultural area;
- a rural recreational area such as a cottage or a resort area, or
- a wilderness area.

Other technical terms are defined in Reference [1] and in the Annex to Publication NPC-205.

4. ESTABLISHMENT OF LIMITS - OBJECTIVE

The sound level limit at a point of reception must be established based on the principle of "predictable worst case" noise impact. In general, the limit is given by the background sound level at the point of reception. The sound level limit must represent the minimum background sound level that occurs or is likely to occur during the operation of the stationary source under impact assessment.

5. BACKGROUND SOUND LEVELS

The time interval between the background sound level measurement and the measurement of the sound level produced by the stationary source under impact assessment should be minimized as much as possible. Preferably, the two measurements should be carried out within one hour of each other.

6. SOUND LEVELS DUE TO STATIONARY SOURCES**(1) Complaint Investigation of Stationary Sources**

The One Hour Equivalent Sound Level (L_{eq}) and/or the Logarithmic Mean Impulse Sound Level (L_{LM}) produced by the stationary sources shall be obtained by measurement performed in accordance with Section 7.

(2) Approval of Stationary Sources

The One Hour Equivalent Sound Level (L_{eq}) and/or the Logarithmic Mean Impulse Sound Level (L_{LM}) produced by the stationary sources shall be obtained by measurement or prediction. The estimation of the L_{eq} and/or L_{LM} of the stationary source under impact assessment shall reflect the principle of "predictable worst case" noise impact. The "predictable worst case" noise impact occurs during the hour when the difference between the predicted sound level produced by the stationary source and the background sound level of the natural environment is at a maximum.

7. PROCEDURES

All sound level measurements and calculations shall be made in accordance with References [3], [6] and [12].

Sound from existing adjacent stationary sources may be included in the determination of the background One Hour Equivalent Sound Level (L_{eq}) if such stationary sources of sound are not under consideration for noise abatement by the Municipality or the Ministry of Environment and Energy.

8. SOUND LEVEL LIMITS - GENERAL

- (1) For impulsive sound, other than Quasi-Steady Impulsive Sound, from a stationary source, the sound level limit expressed in terms of the Logarithmic Mean Impulse Sound Level (L_{LM}) is the background One Hour Equivalent Sound Level (L_{eq}) typically caused by road traffic as obtained pursuant to Section 6 for that point of reception.
- (2) For sound from a stationary source, including Quasi-Steady Impulsive Sound but not including other impulsive sound, the sound level limit expressed in terms of the One Hour Equivalent Sound Level (L_{eq}) is the background One Hour Equivalent Sound Level (L_{eq}) typically caused by road traffic as obtained pursuant to Section 6 for that point of reception.

9. SOUND LEVEL LIMITS - SPECIFIC IMPULSIVE SOUNDS

- (1) For impulsive sound, other than Quasi-Steady Impulsive Sound, from a stationary source which is an industrial metal working operation (including but not limited to forging, hammering, punching, stamping, cutting, forming and moulding), the sound level limit at a point of reception expressed in terms of the Logarithmic Mean Impulse Sound Level (L_{LM}) is 60 dBAI, if the stationary source were operating before January 1, 1980, and otherwise is 50 dBAI.
- (2) For impulsive sound, other than Quasi-Steady Impulsive Sound, from a stationary source which is the discharge of firearms on the premises of a licensed gun club, the sound level limit at a point of reception expressed in terms of the Logarithmic Mean Impulse Sound Level (L_{LM}) is:
 - 70 dBAI if the gun club were operating before January 1, 1980; or
 - 50 dBAI if the gun club began to operate after January 1, 1980; or
 - the L_{LM} prior to expansion, alteration or conversion.
- (3) For impulsive sound, other than Quasi-Steady Impulsive Sound, from a stationary source which is not a blasting operation in a surface mine or quarry, characterized by impulses which are so infrequent that they cannot normally be measured using the procedure for frequent impulses of Reference [3] the sound level limit at a point of reception expressed in terms of the impulse sound level is 100 dBAI.

10. SOUND LEVEL LIMITS - PEST CONTROL DEVICES

- (1) For impulsive sound, other than Quasi-Steady Impulsive Sound, from a pest control device employed solely to protect growing crops, the sound level limit at a point of reception expressed in terms of the Logarithmic Mean Impulse Sound Level (L_{LM}) is 70 dBAI.
- (2) For sound, including Quasi-Steady Impulsive Sound but not including other impulsive sound, from a pest control device employed solely to protect growing crops, the sound level limit at a point of reception expressed in terms of the One Hour Equivalent Sound Level (L_{eq}) is 60 dBA.

11. PROHIBITION - PEST CONTROL DEVICES

The operation of a pest control device employed solely to protect growing crops outdoors during the hours of darkness, sunset to sunrise, is prohibited.

12. PRE-EMPTION

The least restrictive sound level limit of Sections 8, 9 and 10 applies.

13. EXCLUSION

No restrictions apply to a stationary source resulting in a One Hour Equivalent Sound Level (L_{eq}) or a Logarithmic Mean Impulse Sound Level (L_{LM}) lower than the minimum values for that time period specified in Table 205-1.

TABLE 205-1

Minimum Values of One Hour L_{eq} or L_{LM} by Time of Day

Time of Day	One Hour L_{eq} (dBA) or L_{LM} (dBA)	
	Class 1 Area	Class 2 Area
0700 - 1900	50	50
1900 - 2300	47	45
2300 - 0700	45	45

Annex to Publication NPC-205

Sound Level Limits for Stationary Sources in Class 1 & 2 Areas (Urban)

October 1995

A.1. GENERAL

In general, noises are annoying because they are heard over and above the level of the so-called "background" or surrounding environmental noise climate at a particular location. The standard for environmental noise acceptability of stationary sources is therefore expressed as the difference between noise from the source and the background noise.

The background noise is essentially made up of the road traffic noise which creates an "urban hum". It may also include contributions from existing industry or commercial activity adjacent to the stationary source under investigation. Contributions of these secondary noise sources are considered to be a part of urban hum and may be included in the measurements or calculation of the background sound levels, provided that they are not under consideration for noise abatement by the Municipality or the Ministry of Environment and Energy.

The sound level limits specified in Section 8 of Publication NPC-205 represent the general limitation on noise produced by stationary sources. Some noises, however, are annoying no matter where or in what kind of environment they exist. High level impulsive noises represent a special category and, consequently, are restricted by an absolute limitation. Sections 9 and 10 of this Publication provide criteria of acceptability for specific impulsive noise sources.

A.2. APPLICATION

The limits presented in Publication NPC-205 are designed for the control of noise from sources located in industrial, commercial or residential areas. The limits apply to points of reception located in Class 1 and Class 2 Areas.

Sound level limits contained in Publication NPC-205 do not apply to the excluded noise sources listed in Section A.3.(2) and neither do they apply to any equipment, apparatus or device used in agriculture for food crop seeding, chemical spraying or harvesting. In addition, several specific noise sources have been addressed in separate Publications. Limits for residential air conditioners are contained in Publication NPC-216 - Residential Air Conditioning Devices, Reference [8] and the limits for blasting operations in quarries and surface mines are contained in Publication NPC-119 - Blasting, Reference [7].

A.3. STATIONARY SOURCES

The objective of the definition of a stationary source of sound is to address sources such as industrial and commercial establishments or ancillary transportation facilities. In order to further clarify the scope of the definition, the following list identifies examples of installations, equipment, activities or facilities that are included and those that are excluded as stationary sources.

(1) Included Sources

Individual stationary sources such as:

- Heating, ventilating and air conditioning (HVAC) equipment;
- Rotating machinery;
- Impacting mechanical sources;
- Generators;
- Burners;
- Grain dryers.

Facilities, usually comprising many sources of sound. In this case, the stationary source is understood to encompass all the activities taking place within the property boundary of the facility. The following are examples of such facilities:

- Industrial facilities;
- Commercial facilities;
- Ancillary transportation facilities;
- Aggregate extraction facilities;
- Warehousing facilities;
- Maintenance and repair facilities;
- Snow disposal sites;
- Routine loading and unloading facilities (supermarkets, assembly plants, etc.).

Other sources such as:

- Car washes;
- Race tracks;
- Firearm Ranges.

(2) Excluded Sources

Specific sources or facilities:

- Construction activities;
- Transportation corridors, i.e. roadways and railways;
- Residential air conditioning devices including air conditioners and heat pumps;
- Gas stations;
- Auditory warning devices required or authorized by law or in accordance with good safety practices;
- Occasional movement of vehicles on the property such as infrequent delivery of goods to convenience stores, fast food restaurants, etc.

Other noise sources, normally addressed in a qualitative manner in municipal noise by-laws:

- The operation of auditory signalling devices, including but not limited to the ringing of bells or gongs and the blowing of horns or sirens or whistles, or the production, reproduction or amplification of any similar sounds by electronic means;
- Noise produced by animals kept as domestic pets such as dogs barking;
- Tools and devices used by occupants for domestic purposes such as domestic power tools, radios and televisions, etc., or activities associated with domestic situations such as domestic quarrels, noisy parties, etc;
- Noise resulting from gathering of people at facilities such as restaurants and parks.

Activities related to essential service and maintenance of public facilities such as but not limited to roadways, parks and sewers, including snow removal, road cleaning, road repair and maintenance, lawn mowing and maintenance, sewage removal, garbage collection, etc.

A.4. PREDICTABLE WORST CASE IMPACT

The assessment of noise impact requires the determination of the "predictable worst case" impact. The "predictable worst case" impact assessment should establish the largest noise excess produced by the source over the applicable limit. The assessment should reflect a planned and predictable mode of operation of the stationary source.

It is important to emphasize that the "predictable worst case" impact does not necessarily mean that the sound level of the source is highest; it means that the excess over the limit is largest. For example, the excess over the applicable limit at night may be larger even if the day-time sound level produced by the source is higher.

A.5. DEFINITIONS

In the interpretation of Publication NPC-205, the following definitions are of particular relevance:

- Ancillary Transportation Facilities
"Ancillary transportation facilities" mean subsidiary locations where operations and activities associated with the housing of transportation equipment (or personnel) take place. Examples of ancillary transportation facilities include, but are not limited to, substations, vehicle storage and maintenance facilities, fans, fan and vent shafts, mechanical equipment plants, emergency services buildings, etc;
- Construction
"Construction" includes erection, alteration, repair, dismantling, demolition, structural maintenance, painting, moving, land clearing, earth moving, grading, excavating, the laying of pipe and conduit whether above or below ground level, street and highway building, concreting, equipment installation and alteration and the structural installation of construction components and materials in any form or for any purpose, and includes any work in connection therewith; "construction" excludes activities associated with the operation at waste and snow disposal sites;
- Construction Equipment
"Construction equipment" means any equipment or device designed and intended for use in construction, or material handling including but not limited to, air compressors, pile drivers, pneumatic or hydraulic tools, bulldozers, tractors, excavators, trenchers, cranes, derricks, loaders, scrapers, pavers, generators, off-highway haulers or trucks, ditchers, compactors and rollers, pumps, concrete mixers, graders, or other material handling equipment;
- Conveyance
"Conveyance" includes a vehicle and any other device employed to transport a person or persons or goods from place to place but does not include any such device or vehicle if operated only within the premises of a person;
- Highway
"Highway" includes a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle designed and intended for, or used by, the general public for the passage of vehicles;
- Motor Vehicle
"Motor vehicle" includes an automobile, motorcycle, and any other vehicle propelled or driven otherwise than by muscular power, but does not include the cars of diesel, electric or steam railways, or other motor vehicles running only upon rails, or a motorized snow vehicle, traction engine, farm tractor, self-propelled implement of husbandry or road-building machine within the meaning of the Highway Traffic Act;
- Motorized Conveyance
"Motorized conveyance" means a conveyance propelled or driven otherwise than by muscular, gravitational or wind power;
- Noise
"Noise" means unwanted sound;
- Point of Reception
"Point of reception" means any point on the premises of a person where sound or vibration originating from other than those premises is received.

MINISTRY OF THE ENVIRONMENT

For the purpose of approval of new sources, including verifying compliance with Section 9 of the Environmental Protection Act, the point of reception may be located on any of the following existing or zoned for future use premises: permanent or seasonal residences, hotels/motels, nursing/retirement homes, rental residences, hospitals, camp grounds, and noise sensitive buildings such as schools and places of worship.

For equipment/facilities proposed on premises such as nursing/retirement homes, rental residences, hospitals, and schools, the point of reception may be located on the same premises;

- Stationary Source
"Stationary source" means a source of sound which does not normally move from place to place and includes the premises of a person as one stationary source, unless the dominant source of sound on those premises is construction or a conveyance;
- Urban Hum
means aggregate sound of many unidentifiable, mostly road traffic related noise sources.

Publication – N.P.C. 216

Residential Air Conditioning Devices

RESIDENTIAL
AIR CONDITIONING
DEVICES
PUBLICATION NPC-216

OCTOBER 1993



Ministry of
Environment
and Energy

59.

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RESIDENTIAL AIR CONDITIONING DEVICES

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PIBS 2721

This Publication establishes sound level limits and sound emission standards for residential air conditioning devices.

This document replaces Technical Publication NPC-116 "Residential Air Conditioners" of the "Model Municipal Noise Control By-Law, Final Report, August 1978".

61.

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Residential Air Conditioning Devices

62.

1. Scope

This Publication sets sound level limits and sound emission standards for residential air conditioning devices including heat pumps installed in urban areas of Ontario.

2. References

Reference is made to the following publications, or revisions thereof:

- [1] NPC-101 - Technical Definitions
- [2] NPC-102 - Instrumentation
- [3] NPC-103 - Procedures
- [4] NPC-104 - Sound Level Adjustments
- [6] NPC-206 - Sound Levels due to Road Traffic
- [10] ORNAMENT, Ontario Road Noise Analysis Method for Environment and Transportation, Technical Document, Ontario Ministry of the Environment, ISBN 0-7729-6376 (1989).
- [12] Survey of Outdoor Air Conditioner Noise, Final Report. RAC Report #458G, Ontario Ministry of the Environment, ISBN 0-7729-9094-8 (1991).
- [13] Environmental Noise Guidelines for the Installation of Residential Air Conditioning Devices, Ontario Ministry of Environment and Energy, ISBN 0-7778-1616-4 (1993).
- [14] ARI Standard 270 - 84. Sound Rating of Outdoor Unitary Equipment.
- [15] ARI Standard 275 - 84. Application of Sound Rated Outdoor Unitary Equipment.
- [16] ANSI Standard S12.32 - 1990, Discrete-Frequency and Narrow-Band Noise Sources in Reverberation Rooms, Precision Methods for the Determination of Sound Power Levels.

References [1] to [6] are also part of the Model Municipal Noise Control By-Law, Ontario Ministry of the Environment.

3. Technical Definitions

"Ambient sound level"

is the sound level that is present in the environment, produced by noise sources other than the source under impact assessment. See Background sound level;

"Background sound level"

means Ambient sound level;

"Class 1 Area"

means an area with an acoustical environment typical of a major population centre, where the background noise is dominated by the urban hum. 63.

"Class 2 Area"

means an area with an acoustical environment that has qualities representative of both Class 1 and Class 3 Areas, and in which a low ambient sound level, normally occurring only between 23:00 and 07:00 hours in Class 1 Areas, will typically be realized as early as 19:00 hours.

Other characteristics which may indicate the presence of a Class 2 Area include:

- absence of urban hum between 19:00 and 23:00 hours;
- ambient sound level is defined by natural environment and infrequent human activity; and
- no clearly audible sound from stationary sources other than from those under consideration.

"Class 3 Area"

means an area with an acoustical environment that is dominated by natural sounds typical of agricultural or wilderness areas and having little or no road traffic, such as the following:

- a small community with less than 1000 population;
- farm land or land zoned rural or agricultural;
- a rural recreational area such as a cottage or a resort area; or
- a wilderness area.

4. Sound Level Limits for Air Conditioning Devices

Either the general sound level limit in Section 4.(1) or the specific sound level limit in Section 4.(3) shall apply to an air conditioning device. The less restrictive of these two limits shall prevail.

(1) General Sound Level Limit

The general sound level limit (shown in Table 216-1 and determined in accordance with Section 4.(2)) is 5 dBA greater than a one hour equivalent sound level (L_{eq}) caused by road traffic at the point of reception during the period of 07:00 to 21:00 hours. The specific hour is to be determined by the noise control officer based on the assessment of annoyance by the complainant.

In the context of this Publication, the stationary sources under consideration are residential air conditioning devices.

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TABLE 216-1

GENERAL SOUND LEVEL LIMIT

All Air Conditioning Devices	
Area Type	L_{eq} (dBA)
Class 1 and Class 2	One Hour Equivalent Sound Level (L_{eq}) of road traffic plus 5 dBA measured during the period of 07:00 to 21:00 hours

(2) Establishment of the General Sound Level Limit

The general sound level limit shall be established through measurements or calculation of the One Hour Equivalent Sound Level (L_{eq}) caused by road traffic as obtained pursuant to Reference [6] at the point of reception.

(3) Specific Sound Level Limits

Specific sound level limits are identified in Table 216-2 for two types of residential air conditioning devices as minimum limits of compliance.

TABLE 216-2

SPECIFIC SOUND LEVEL LIMITS

Central Air Conditioning Devices	
Area Type	One Hour L_{eq} (dBA)
Class 2	45
Class 1	50*
Window or Through-the-Wall Air Conditioning Devices	
Area Type	One Hour L_{eq} (dBA)
Class 2	45
Class 1	50

* When the devices are mandatory requirements for noise control in the interior living spaces of new land use developments, the specific sound level limit is one hour $L_{eq} = 55$ dBA.

5. Sound Levels from Installed Air Conditioning Devices

65.

To determine if an installed air conditioning device complies with the sound level limits, the sound level due to the device must be measured following the procedure described in Reference [3].

The procedure assumes that the measured sound is dominated by the source under investigation (air conditioning device). To ensure that the measured sound is dominated by the air conditioning device, sound level measurements must be carried out separately with, and without the device in operation.

The measurement of the background sound level, i.e. without the air conditioning device operating, is carried out in accordance with the procedure described in Reference [3].

If the change in sound level measured separately with, and without the air conditioning device operating is less than 10 dBA, a correction shall be made to determine the contribution of the existing background sound levels to the overall measured sound level. Table 216-3 provides correction values and a example of the calculation.

TABLE 216-3

PROCEDURE RECOMMENDED TO SEPARATE THE SOUND LEVEL OF AN AIR
CONDITIONING DEVICE FROM THE BACKGROUND SOUND LEVEL

Change in dBA of Sound Level With and Without Unit in Operation	Correction in dBA to Be Subtracted from Higher Sound Level to Obtain Sound Level from Device
10 or more	0
7 to 9	1
4 to 6	2
3	3
2	4
1	6
0	10

Example:	Sound level without unit in operation	=	45 dBA
	Sound level with unit in operation	=	50 dBA
	Change	=	5 dBA
	Correction from Table	=	2 dBA
	Unit sound level	= 50 - 2	= 48 dBA

6. Sound Emission Standards

Table 216-4 gives the sound emission standards for new residential central air conditioning devices.

66.

TABLE 216-4

SOUND EMISSION STANDARDS FOR
RESIDENTIAL CENTRAL AIR CONDITIONING DEVICES

Date of Manufacture	Size (BTUH)	Maximum ARI Standard Sound Rating (bels)
After 1990-12-31 and Before 1992-01-01	38,900 or less	8.0
After 1991-12-31 and Before 1995-01-01	38,900 or less	7.6
After 1994-12-31	38,900 or less	(Under discussion with the Industry to assess the feasibility of reduction.)
BTUH = British Thermal Unit for an Hour		

Measurement procedure as per Reference [14].

ANNEX

EXPLANATORY NOTES TO

PUBLICATION NPC-216
RESIDENTIAL AIR CONDITIONING DEVICES.

67.

A.1. Sound Level Measurements - Summary

Verification of compliance of the air conditioner and heat pump units with the sound level limits can be accomplished through measurements using a properly calibrated sound level meter which meets the required standard specifications.

Details of the instrument specifications are included in Reference [2].

The measurements shall be performed outdoors at a sensitive location on neighbouring residential property in the vicinity of the air conditioning device, where the sound of the device may cause annoyance. Typically this would be a patio or a window.

The measurements may also be required at a point of reception in the plane of an open window facing the unit to ensure that the sound level at noise sensitive indoor spaces in a neighbouring residence is not in excess of the guideline limits. Details of the measurement procedure are included in Reference [3].

A.2. Sound Level Limits

People's response to noise varies depending upon the community's, as well as the individual's economic and social relationship to the source. The sound level limits for air conditioner and heat pump noise were established based on the results of sociological surveys of large numbers of people and represent what is considered to be the onset of significant degradation of the noise environment relative to the expectations of the general population.

The sound level limits are receptor oriented, i.e. they apply at any noise sensitive location within a Class 2 or Class 1 Area (as defined in NPC-216) at which sound from the air conditioning device may cause annoyance.

The specific limits shown in Table 216-2 are expressed in terms of the one hour equivalent sound level L_{eq} , and apply to receptor locations in Class 1 and Class 2 Areas.

A separate limit applies to those receptor locations in Class 1 Areas where the unit was a mandatory requirement for noise control of the interior living space in new land use developments.

A preemption in the form of a general limit applies in an area of a relatively high background noise caused by road traffic as shown in Table 216-1. In accordance with this pre-emption, the existing background sound level, if higher than the limits in Table 216-2, represents the criterion of acceptability for the air conditioning device operation. In addition, the general limits are increased by 5 dBA for any hour from 07:00 to 21:00 hours. The period of assessment was chosen in accordance with the findings of a sociological survey conducted in 1990, Reference [12].

A.3. Complaint Investigation

Investigators of a complaint against installed air conditioning devices must carry out sound level measurements at the receptor location(s). The measurements are to be made in accordance with methods identified in Section A.1. The operating sound of the air conditioning device and the background sound consisting of the road traffic noise must be measured at the same location, separately. While the background sound level is measured the air conditioning device must be turned off. Contributions from aircraft and rail noise sources must be inhibited at all times. Unattended measurements are not recommended. Atmospheric conditions may have significant influence on the ambient sound levels, for details see Reference [3].

The sound level of an installed air conditioning device may be calculated from the sound levels measured with the device operating (device plus background noise) and without it operating (background only). The procedure is described in Section 5. A correction value is determined between these two sound levels. Subtracting this correction from the higher sound level (measured with the device in operation) gives the sound level due to the air conditioning device itself. See Table 216-3.

Determination of the road traffic sound level is to be made by the noise control officer based on the assessment of the annoyance by the complainant(s). The time of highest annoyance within the time period of 07:00 to 21:00 is to fall in the selected one hour of the road traffic noise.

A.4. Installation of Air Conditioning Devices

Purchasers and installers of air conditioning devices have to be cognizant of the MOEE guideline on the Sound Emission Standards listed in Table 216-4. Further explanation of the standards is provided in Section A.5. Only units meeting the requirements of Table 216-4 may be installed in Ontario.

For guidance on the selection, location or sound rating of the air conditioning devices or for the method to estimate the sound levels, installers should refer to Reference [13].

Installation of units that are in compliance with the sound emission standard must also be in compliance with the point of reception sound level limits, i.e. complying with the least restrictive sound level limit of Tables 216-1 and 216-2.

If the calculated sound level of the unit is in excess of the specific sound level limit (Table 216-2), the general sound level limit is to be determined. If both limits are exceeded by the calculated levels then alteration is needed in one or more of the following: the size or make of unit, its location or the type of noise reducing installation treatment (use of barrier or enclosure).

Owners of installed units producing a sound level in excess of the sound level limits will be required to reduce the noise of the unit, when faced with complaints.

Noise abatement is more expensive and less cost effective than a proper installation.

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A.5. Sound Emission Standards

In contrast to the sound level limits which apply at the point of reception, sound emission standards are source oriented, and are based on the concept of sound power level which is a basic measure of the acoustic output of a noise source.

The sound level of the air conditioner or heat pump at a receptor location depends on many factors such as distance separation, unit's orientation with respect to the receptor, presence of shielding objects or structures, intervening terrain, topography and ground cover between the unit and receptor, as well as on atmospheric conditions, all of which are independent of the actual sound emission of the unit.

Sound power on the other hand is a fundamental property of the acoustic source alone and is, therefore, an important absolute parameter which is widely used for rating and comparing sound sources.

The rating of air conditioner and heat pump equipment is designated as the ARI Sound Rating (SR) and is provided by the manufacturer of the device.

The Sound Rating is based on laboratory tests performed at Standard Rating Conditions in accordance with References [14] and [16]. The SR is an indicator of the sound power level of the equipment; the lower the SR, the lower the sound power of the air conditioner or heat pump.

Sound Emission Standards in Table 216-4 apply to central air conditioning devices only and not for window or through-the-wall units.

The maximum acceptable ARI Standard Sound Ratings shown in Table 216-4 are set in accordance with the date of manufacture. Two Sound Emission Standards, 8.0 and 7.6 bels are specified for air conditioner and heat pump units manufactured during 1991, and during 1992 through 1994 respectively. The Sound Emission Standard applies to units that are sized at 38,900 BTUH capacity or less. The emission limits projected after 1994 are under discussion with the industry to assess the feasibility of reduction.

SR is a tone corrected A-weighted sound power level, expressed in bels

Publication – N.P.C. 232

**Sound Level Limits for Stationary Sources in
Class 3 Areas (Rural)**

Publication – N.P.C. 206
Sound Levels of Road Traffic

SOUND LEVELS DUE TO ROAD TRAFFIC

PUBLICATION NPC-206

OCTOBER 1995



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Sound Levels due to Road Traffic

Publication NPC-206

October 1995

This Publication describes the methods to determine the equivalent sound level produced by road traffic. It replaces Publication NPC-106 "Sound Levels of Road Traffic" of the "Model Municipal Noise Control By-Law, Final Report, August 1978".

1. SCOPE

This Publication describes the methods to determine the One Hour Equivalent Sound Level (L_{eq}) of sound caused by road traffic. The road traffic sound level is used to define sound level limits for the purposes of complaint investigation or approval of stationary sources of sound.

The methods apply at a point of reception in any community where the background sound level is dominated by the sound of road traffic, referred to as "urban hum". Highly intrusive short duration noise caused by a source such as an aircraft fly-over or a train pass-by is excluded from the determination of this background sound level.

2. REFERENCES

Reference is made to the following publications:

- [1] NPC-101 - Technical Definitions
- [2] NPC-102 - Instrumentation
- [3] NPC-103 - Procedures
- [5] NPC-205 - Sound Level Limits for Stationary Sources in Class 1 & 2 Areas (Urban)
- [11] ORNAMENT, Ontario Road Noise Analysis Method for Environment and Transportation, Technical Document, Ontario Ministry of the Environment, ISBN 0-7729-6376, 1989

References [1] to [3] can be found in the
Model Municipal Noise Control By-Law, Ontario Ministry of the Environment, Final Report, August 1978.

3. TECHNICAL DEFINITIONS

"Ambient sound level"
means Background sound level;

"Background sound level"
is the sound level that is present in the environment, produced by noise sources other than the source under impact assessment. Highly intrusive short duration noise caused by a source such as an aircraft fly-over or a train pass-by is excluded from the determination of the background sound level;

Other technical terms are defined in Reference [1].

4. SOUND LEVELS DUE TO ROAD TRAFFIC

Depending on the application, the One Hour Equivalent Sound Level (L_{eq}) of road traffic shall be obtained either by measurement or by calculation. The following procedures shall be used for complaint investigation and for the approval of stationary sources:

(1) **Complaint Investigation of Stationary Sources**

The One Hour Equivalent Sound Level (L_{eq}) of road traffic may be measured or calculated. Measurements of the One Hour Equivalent Sound Level (L_{eq}) of road traffic shall be carried out using instrumentation described in Reference [2], following procedures for the measurement of varying sound described in Reference [3].

The results of the road traffic L_{eq} measurements must not be affected by the sound due to other noise sources; the measurements should be performed when the stationary source under impact assessment is not operating. The time interval between the road traffic L_{eq} measurements and the measurement of the sound level produced by the stationary source under impact assessment should be minimized as much as possible. Preferably, the two measurements should be carried out within one hour of each other.

The calculation of the One Hour Equivalent Sound Level (L_{eq}) of road traffic shall be based on the traffic flows observed on the contributing road(s), from which traffic noise is audible at the point of reception, within one hour of the period when the sound from the stationary source is measured. The calculation procedure is described in Reference [11].

(2) **Approval of Stationary Sources**

Measurements of the One Hour Equivalent Sound Level (L_{eq}) of road traffic shall be carried out following procedures for the measurement of varying sound described in Reference [3].

Results of the measurement of the One Hour Equivalent Sound Level (L_{eq}) of road traffic shall reflect the principle of "predictable worst case" noise impact. The "predictable worst case" noise impact occurs during the hour when the difference between the sound level produced by the stationary source under impact assessment and the sound level due to road traffic is largest.

The One Hour Equivalent Sound Level (L_{eq}) of road traffic may be calculated on the basis of traffic flows observed on the contributing road(s), from which traffic noise is audible at the point of reception. The results of calculation of the One Hour Equivalent Sound Level (L_{eq}) of road traffic shall reflect the principle of "predictable worst case" noise impact. The calculation procedure is described in Reference [11].

SOUND LEVEL LIMITS FOR
STATIONARY SOURCES IN
CLASS 3 AREAS (RURAL)

PUBLICATION NPC-232

OCTOBER 1995



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Sound Level Limits for Stationary Sources in Class 3 Areas (Rural)

Publication NPC-232

October 1995

This Publication establishes sound level limits for stationary sources such as industrial and commercial establishments or ancillary transportation facilities, affecting points of reception in Class 3 Areas (Rural). It replaces Publication NPC-132 "Guidelines for Noise Control in Rural Areas" of the "Model Municipal Noise Control By-Law, Final Report, August 1978".

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1. SCOPE

This Publication establishes sound level limits for stationary sources of sound such as industrial and commercial establishments or ancillary transportation facilities, affecting points of reception in Class 3 Areas (Rural). The limits apply to noise complaint investigations carried out in order to determine potential violation of Section 14 of the Environmental Protection Act. The limits also apply to the assessment of planned stationary sources of sound in compliance with Section 9 of the Environmental Protection Act, and under the provisions of the Aggregate Resources Act and the Environmental Assessment Act.

This Publication does not address sound and vibration produced by blasting; blasting in quarries and surface mines is considered in Reference [7].

The Publication includes an Annex, which provides additional details, definitions and rationale for the sound level limits.

2. REFERENCES

Reference is made to the following publications:

- [1] NPC-101 - Technical Definitions
- [2] NPC-102 - Instrumentation
- [3] NPC-103 - Procedures
- [4] NPC-104 - Sound Level Adjustments
- [5] NPC-205 - Sound Level Limits for Stationary Sources in Class 1 & 2 Areas (Urban)
- [6] NPC-206 - Sound Levels due to Road Traffic
- [7] NPC-119 - Blasting
- [8] NPC-216 - Residential Air Conditioning Devices
- [10] NPC-233 - Information to be Submitted for Approval of Stationary Sources of Sound
- [12] ORNAMENT, Ontario Road Noise Analysis Method for Environment and Transportation, Technical Document, Ontario Ministry of the Environment, ISBN 0-7729-6376, 1989

References [1] to [4] and [7] can be found in the
Model Municipal Noise Control By-Law, Ontario Ministry of the Environment, Final Report, August 1978.

2. DEFINITIONS

"Ambient sound level"
means Background sound level.

"Background sound level"
is the sound level that is present in the environment, produced by noise sources other than the source under impact assessment. Highly intrusive short duration noise caused by a source such as an aircraft fly-over or a train pass-by is excluded from the determination of the background sound level.

"Class 1 Area"
means an area with an acoustical environment typical of a major population centre, where the background noise is dominated by the urban hum.

"Class 2 Area"

means an area with an acoustical environment that has qualities representative of both Class 1 and Class 3 Areas, and in which a low ambient sound level, normally occurring only between 23:00 and 07:00 hours in Class 1 Areas, will typically be realized as early as 19:00 hours.

Other characteristics which may indicate the presence of a Class 2 Area include:

- absence of urban hum between 19:00 and 23:00 hours;
- evening background sound level defined by natural environment and infrequent human activity; and
- no clearly audible sound from stationary sources other than from those under impact assessment.

"Class 3 Area"

means a rural area with an acoustical environment that is dominated by natural sounds having little or no road traffic, such as the following:

- a small community with less than 1000 population;
- agricultural area;
- a rural recreational area such as a cottage or a resort area; or
- a wilderness area.

Other technical terms are defined in Reference [1] and in the Annex to Publication NPC-232.

3. ESTABLISHMENT OF LIMITS - OBJECTIVE

The sound level limit at a point of reception must be established based on the principle of "predictable worst case" noise impact. In general, the limit is given by the background sound level at the point of reception. The sound level limit must represent the minimum background sound level that occurs or is likely to occur during the operation of the stationary source under impact assessment.

4. BACKGROUND SOUND LEVELS OF THE NATURAL ENVIRONMENT

The One Hour Equivalent Sound Level (L_{eq}) and/or the One Hour Ninetieth Percentile Sound Level (L_{90}) of the natural environment shall be obtained by measurement performed in accordance with Section 7. The results of the measurements must not be affected by the sound of the stationary source under impact assessment.

The time interval between the background sound level measurement and the measurement of the sound level produced by the stationary source under impact assessment should be minimized as much as possible. Preferably, the two measurements should be carried out within one hour of each other.

5. SOUND LEVELS DUE TO STATIONARY SOURCES**(1) Complaint Investigation of Stationary Sources**

The One Hour Equivalent Sound Level (L_{eq}) and/or the Logarithmic Mean Impulse Sound Level (L_{LM}) produced by the stationary sources shall be obtained by measurement performed in accordance with Section 7.

(2) **Approval of Stationary Sources**

The One Hour Equivalent Sound Level (L_{eq}) and/or the Logarithmic Mean Impulse Sound Level (L_{LM}) produced by the stationary sources shall be obtained by measurement or prediction. The estimation of the L_{eq} and/or L_{LM} of the stationary source under impact assessment shall reflect the principle of "predictable worst case" noise impact. The "predictable worst case" noise impact occurs during the hour when the difference between the predicted sound level produced by the stationary source and the background sound level of the natural environment is at a maximum.

6. **PROCEDURES**

All sound level measurements of the One Hour Equivalent Sound Level (L_{eq}) and the Logarithmic Mean Impulse Sound Level (L_{LM}) shall be made in accordance with Reference [3].

All sound level measurements of the One Hour Ninetieth Percentile Sound Level (L_{90}) shall be made using a Sound Level Meter capable of measuring percentile sound levels. The meter shall meet the applicable requirements for an Integrating Sound Level Meter of Reference [2]. The measurements shall be carried out following procedures for the measurement of varying sound described in Reference [3].

Sound from existing adjacent stationary sources may be included in the determination of the background hourly sound levels L_{eq} and L_{90} , if such stationary sources are not under consideration for noise abatement by the Municipality or the Ministry of Environment and Energy.

7. **SOUND LEVEL LIMITS - GENERAL**

(1) For impulsive sound, other than Quasi-Steady Impulsive Sound, from a stationary source, the sound level limit at a point of reception within 30 m of a dwelling or a camping area, expressed in terms of the Logarithmic Mean Impulse Sound Level (L_{LM}), is the lower of:

- the background One Hour Equivalent Sound Level (L_{eq}) obtained pursuant to Section 5; and
- the background One Hour Ninetieth Percentile Sound Level (L_{90}) plus 15 dB, i.e. $L_{90} + 15$ dB, obtained pursuant to Section 5.

(2) For sound from a stationary source, including Quasi-Steady Impulsive Sound but not including other impulsive sound, the sound level limit at a point of reception within 30 m of a dwelling or a camping area, expressed in terms of the One Hour Equivalent Sound Level (L_{eq}), is the lower of:

- the background One Hour Equivalent Sound Level (L_{eq}) obtained pursuant to Section 5; and
- the background One Hour Ninetieth Percentile Sound Level (L_{90}) plus 10 dB, i.e. $L_{90} + 10$ dB, obtained pursuant to Section 5.

8. **SOUND LEVEL LIMITS - SPECIFIC IMPULSIVE SOUNDS**

(1) For impulsive sound, other than Quasi-Steady Impulsive Sound, from a stationary source which is an industrial metal working operation (including but not limited to forging, hammering, punching, stamping, cutting, forming and moulding), the sound level limit at a point of reception within 30 m of a dwelling or a camping area, expressed in terms of the Logarithmic Mean Impulse Sound Level (L_{LM}), is 60 dBA, if the stationary source were operating before January 1, 1980, and otherwise is 50 dBA.

(2) For impulsive sound, other than Quasi-Steady Impulsive Sound, from a stationary source which is the discharge of firearms on the premises of a licensed gun club, the sound level limit at a point of reception within 30 m of a dwelling or a camping area, expressed in terms of the Logarithmic Mean Impulse Sound Level (L_{LM}), is:

- 70 dBAI if the gun club were operating before January 1, 1980; or
- 50 dBAI if the gun club began to operate after January 1, 1980; or
- the L_{LM} prior to expansion, alteration or conversion.

- (3) For impulsive sound, other than Quasi-Steady Impulsive Sound, from a stationary source which is not a blasting operation in a surface mine or quarry, characterized by impulses which are so infrequent that they cannot normally be measured using the procedure for frequent impulses of Reference [3], the sound level limit at a point of reception within 30 m of a dwelling or a camping area, expressed in terms of the impulse sound level, is 100 dBAI.

9. SOUND LEVEL LIMITS - PEST CONTROL DEVICES

- (1) For impulsive sound, other than Quasi-Steady Impulsive Sound, from a pest control device employed solely to protect growing crops, the sound level limit at a point of reception within 30 m of a dwelling or a camping area, expressed in terms of the Logarithmic Mean Impulse Sound Level (L_{LM}), is 70 dBAI.
- (2) For sound, including Quasi-Steady Impulsive Sound but not including other impulsive sound, from a pest control device employed solely to protect growing crops, the sound level limit at a point of reception within 30 m of a dwelling or a camping area, expressed in terms of the One Hour Equivalent Sound Level (L_{eq}), is 60 dBA.

10. PROHIBITION - PEST CONTROL DEVICES

The operation of a pest control device employed solely to protect growing crops is prohibited during the hours of darkness, sunset to sunrise.

11. PRE-EMPTION

The least restrictive sound level limit of Sections 8, 9 and 10 applies.

12. EXCLUSION

No restrictions apply to any stationary source resulting in a One Hour Equivalent Sound Level (L_{eq}) or a Logarithmic Mean Impulse Sound Level (L_{LM}), at a point of reception within 30 m of a dwelling or a camping area, lower than the minimum values for that time period, as specified in Table 232-1.

TABLE 232-1
Minimum Values of One Hour L_{eq} or L_{LM} by Time of Day

Time of Day	One Hour L_{eq} (dBA) or L_{LM} (dBAI)
0700 - 1900	45
1900 - 2300	40
2300 - 0700	40

Annex to Publication NPC-232

Sound Level Limits for Stationary Sources in Class 3 Areas (Rural)

October 1995

A.1. GENERAL

The definitions in Publication NPC-232 of a Class 3 Area (Rural), as well as Class 1 and 2 Areas (Urban), provide a broad characterization of the areas including a range of localities. In formulating the definitions, consideration was given to the fact that the terms "rural" and "urban" embody a conception of distinct types of dwelling habitat.

On one hand, the term "urban" traditionally conveys a distinct image of a concentration of people and activities in a predominantly man-made environment dominated by road traffic noise, making intensive use of the space available. On the other hand, the term "rural" brings to mind a sparse distribution of people and activities in a predominantly natural environment using land extensively (farming) or not at all (wilderness areas). In between these two categories fall areas that exhibit characteristics of both "urban" and "rural" areas, particularly at different times of the day.

It is, however, evident that not all of the environment will fit neatly into one of these categories. The predominance of road traffic in the area is a significant factor in determining rurality. For example, a residential property in an isolated recreational area, but close to a major roadway, would not be considered to be located in a Class 3 Area.

While examples of a rural setting, described in Publication NPC-232 provide some general guidelines, any classification of a point of reception as being in a Class 1, 2 or 3 Area should be made on an individual basis. The classification can, and should, utilize normally available information on zoning by-laws, official plans, and other policy statements, as well as the future character of the particular piece of land in question and the land in its vicinity.

The standard of environmental noise acceptability for a stationary source is, in general, expressed as the difference between the noise from the source and the background noise. In rural areas, this background noise is formed by natural sounds rather than man-made sounds.

The background noise may also include contributions from existing stationary sources adjacent to the stationary source under impact assessment. Contributions of these secondary stationary noise sources are considered to be a part of the existing noise environment, and may be included in the measurement of the background sound levels, provided that they are not under consideration for noise abatement by the Municipality or the Ministry of Environment and Energy.

In Class 1 and 2 Areas where the acoustical environment is governed primarily by road traffic, the background noise is best described by the energy equivalent sound level (L_{eq}). However, the background noise in Class 3 Areas is often better described in terms of the ninetieth percentile sound level (L_{90}). Therefore, Publication NPC-232 has established both the L_{90} as well as the L_{eq} of the background as the limits against which the intrusion of the source, measured in terms of the L_{eq} , is assessed.

A.2. APPLICATION

Sound level limits contained in this Publication do not apply to non-stationary noise sources nor to any equipment, apparatus or device used in agriculture for food crop seeding, chemical spraying or harvesting. In addition, several specific noise sources have been addressed in separate Publications. Limits for residential air conditioners are contained in Publication NPC-216 - Residential Air Conditioning Devices, Reference [8], and the limits for blasting operations in quarries and surface mines are contained in Publication NPC-119 - Blasting, Reference [7].

A.3. STATIONARY SOURCES

The objective of the definition of a stationary source of sound is to address sources such as industrial and commercial establishments or ancillary transportation facilities. In order to further clarify the scope of the definition, the following list identifies examples of installations, equipment, activities or facilities that are included and those that are excluded as stationary sources.

(1) Included Sources

Individual stationary sources such as:

- Heating, ventilating and air conditioning (HVAC) equipment;
- Rotating machinery;
- Impacting mechanical sources;
- Generators;
- Burners;
- Grain dryers.

Facilities, usually comprising many sources of sound. In this case, the stationary source is understood to encompass all the activities taking place within the property boundary of the facility. The following are examples of such facilities:

- Industrial facilities;
- Commercial facilities;
- Ancillary transportation facilities;
- Aggregate extraction facilities;
- Warehousing facilities;
- Maintenance and repair facilities;
- Snow disposal sites;
- Routine loading and unloading facilities (supermarkets, assembly plants, etc.).

Other sources such as:

- Car washes;
- Race tracks;
- Firearm Ranges.

(2) Excluded Sources

Specific sources or facilities:

- Construction activities;
- Transportation corridors, i.e. roadways and railways;
- Residential air conditioning devices including air conditioners and heat pumps;
- Gas stations;
- Auditory warning devices required or authorized by law or in accordance with good safety practices;
- Occasional movement of vehicles on the property such as infrequent delivery of goods to convenience stores, fast food restaurants, etc.

Other noise sources, normally addressed in a qualitative manner in municipal noise by-laws:

- The operation of auditory signalling devices, including but not limited to the ringing of bells or gongs and the blowing of horns or sirens or whistles, or the production, reproduction or amplification of any similar sounds by electronic means;
- Noise produced by animals kept as domestic pets such as dogs barking;
- Tools and devices used by occupants for domestic purposes such as domestic power tools, radios and televisions, etc., or activities associated with domestic situations such as domestic quarrels, noisy parties, etc;

Noise resulting from gathering of people at facilities such as restaurants and parks.

Activities related to essential service and maintenance of public facilities such as but not limited to roadways, parks and sewers, including snow removal, road cleaning, road repair and maintenance, lawn mowing and maintenance, sewage removal, garbage collection, etc.

A.4. PREDICTABLE WORST CASE IMPACT

The assessment of noise impact requires the determination of the "predictable worst case" impact. The "predictable worst case" impact assessment should establish the largest noise excess produced by the source over the applicable limit. The assessment should reflect a planned and predictable mode of operation of the stationary source.

It is important to emphasize that the "predictable worst case" impact does not necessarily mean that the sound level of the source is highest; it means that the excess over the limit is largest. For example, the excess over the applicable limit at night may be larger even if the day-time sound level produced by the source is higher.

A.5. DEFINITIONS

In the interpretation of Publication NPC-232, the following definitions are of particular relevance:

- Ancillary Transportation Facilities
"Ancillary transportation facilities" mean subsidiary locations where operations and activities associated with the housing of transportation equipment (or personnel) take place. Examples of ancillary transportation facilities include, but are not limited to, substations, vehicle storage and maintenance facilities, fans, fan and vent shafts, mechanical equipment plants, emergency services buildings, etc;
- Construction
"Construction" includes erection, alteration, repair, dismantling, demolition, structural maintenance, painting, moving, land clearing, earth moving, grading, excavating, the laying of pipe and conduit whether above or below ground level, street and highway building, concreting, equipment installation and alteration and the structural installation of construction components and materials in any form or for any purpose, and includes any work in connection therewith; "construction" excludes activities associated with the operation at waste and snow disposal sites;
- Construction Equipment
"Construction equipment" means any equipment or device designed and intended for use in construction, or material handling including but not limited to, air compressors, pile drivers, pneumatic or hydraulic tools, bulldozers, tractors, excavators, trenchers, cranes, derricks, loaders, scrapers, pavers, generators, off-highway haulers or trucks, ditchers, compactors and rollers, pumps, concrete mixers, graders, or other material handling equipment;
- Conveyance
"Conveyance" includes a vehicle and any other device employed to transport a person or persons or goods from place to place but does not include any such device or vehicle if operated only within the premises of a person;
- Highway
"Highway" includes a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle designed and intended for, or used by, the general public for the passage of vehicles;

- Motor Vehicle
"Motor vehicle" includes an automobile, motorcycle, and any other vehicle propelled or driven otherwise than by muscular power, but does not include the cars of diesel, electric or steam railways, or other motor vehicles running only upon rails, or a motorized snow vehicle, traction engine, farm tractor, self-propelled implement of husbandry or road-building machine within the meaning of the Highway Traffic Act;
- Motorized Conveyance
"Motorized conveyance" means a conveyance propelled or driven otherwise than by muscular, gravitational or wind power;
- Noise
"Noise" means unwanted sound;
- Point of Reception - Class 3 Area
"Point of reception - Class 3 Area" means a point on the premises of a person within 30 m of a dwelling or a camping area, where sound or vibration originating from other than those premises is received.

For the purpose of approval of new sources, including verifying compliance with Section 9 of the Environmental Protection Act, the point of reception may be located on any of the following existing or zoned for future use premises: permanent or seasonal residences, hotels/motels, nursing/retirement homes, rental residences, hospitals, camp grounds, and noise sensitive buildings such as schools and places of worship.

For equipment/facilities proposed on premises such as nursing/retirement homes, rental residences, hospitals, and schools, the point of reception may be located on the same premises;
- Stationary Source
"Stationary source" means a source of sound which does not normally move from place to place and includes the premises of a person as one stationary source, unless the dominant source of sound on those premises is construction or a conveyance;
- Urban Hum
means aggregate sound of many unidentifiable, mostly road traffic related noise sources.

Publication – N.P.C. 233

**Information to be Submitted for Approval of
Stationary Sources of Sound**

INFORMATION TO BE SUBMITTED FOR
APPROVAL OF STATIONARY SOURCES
OF SOUND

PUBLICATION NPC-233

OCTOBER 1995



Ministry
of the
Environment

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Information to be Submitted for Approval of Stationary Sources of Sound

Publication NPC-233

October 1995

This Publication supplements the Guide to Applying for Approval (Air): Noise and Vibration and specifies information that is to be submitted for approval and/or audit of stationary noise or vibration sources. It replaces Publication NPC-133 "Guidelines on Information Required for the Assessment of Planned Stationary Sources of Sound" of the "Model Municipal Noise Control By-Law, Final Report, August 1978".

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1. SCOPE

This Publication is a comprehensive document that specifies technical information to be submitted for approval to operate sources of sound and vibration. It has been developed in order to provide consistency in the submissions and to streamline the review and approval process. The specified information is required for the assessment of sound and vibration impact, in compliance with the provisions of Section 9 of the Environmental Protection Act. The requirements apply to new sources as well as expansion, alteration or conversion of existing sources. Publication NPC-233 does not specify sound and vibration limits; however, proponents are required to demonstrate compliance with the sound and vibration limits, contained in other Publications, References 5, 9 and 11.

Publication NPC-233 also specifies the information to be included in acoustic and vibration audit reports that may be required as part of the approval process.

2. REFERENCES

Reference is made to the following publications:

- [1] NPC-101 - Technical Definitions
- [2] NPC-102 - Instrumentation
- [3] NPC-103 - Procedures

- [4] NPC-104 - Sound Level Adjustments
- [5] NPC-205 - Sound Level Limits for Stationary Sources in Class 1 & 2 Areas (Urban)
- [6] NPC-206 - Sound Levels due to Road Traffic
- [9] NPC-232 - Sound Level Limits for Stationary Sources in Class 3 Areas (Rural)
- [11] NPC-207 - Impulse Vibration in Residential Buildings (draft)
- [12] ORNAMENT, Ontario Road Noise Analysis Method for Environment and Transportation, Technical Document, Ontario Ministry of the Environment, ISBN 0-7729-6376, 1989

References 1 to 4 can be found in the
Model Municipal Noise Control By-Law, Ontario Ministry of the Environment, Final Report, August 1978.

3. TECHNICAL DEFINITIONS

"Ambient sound level"
means Background sound level.

"Background sound level"
is the sound level that is present in the environment, produced by noise sources other than the source under impact assessment. Highly intrusive short duration noise caused by a source such as an aircraft fly-over or a train pass-by is excluded from the determination of the background sound level.

"Class 1 Area"
means an area with an acoustical environment typical of a major population centre, where the background sound level is dominated by the urban hum.

"Class 2 Area"
means an area with an acoustical environment that has qualities representative of both Class 1 and Class 3 Areas, and in which a low background sound level, normally occurring only between 23:00 and 07:00 hours in Class 1 Areas, will typically be realized as early as 19:00 hours.

Other characteristics which may indicate the presence of a Class 2 Area include:

- absence of urban hum between 19:00 and 23:00 hours;
- evening background sound level defined by natural environment and infrequent human activity; and
- no clearly audible sound from stationary sources other than from those under impact assessment.

"Class 3 Area"
means a rural area with an acoustical environment that is dominated by natural sounds having little or no road traffic, such as the following:

- a small community with less than 1000 population;
- agricultural area;
- a rural recreational area such as a cottage or a resort area; or
- a wilderness area.

"Point of Reception"

"Point of reception" means any point on the premises of a person where sound or vibration originating from other than those premises is received.

For the purpose of approval of new sources, including verifying compliance with Section 9 of the Environmental Protection Act, the point of reception may be located on any of the following existing or zoned for future use premises: permanent or seasonal residences, hotels/motels, nursing/retirement homes, rental residences, hospitals, camp grounds, and noise sensitive buildings such as schools and places of worship.

For equipment/facilities proposed on premises such as nursing/retirement homes, rental residences, hospitals, and schools, the point of reception may be located on the same premises.

"Urban Hum"

means aggregate sound of many unidentifiable, mostly road traffic related noise sources

Other technical terms are defined in Reference 1.

4. MEASUREMENT AND CALCULATION PROCEDURES

References 3 and 9 contain the applicable measurement procedures. References 6 and 12 contain the required road traffic noise measurement and calculation procedures. Reference 11 contains the applicable procedure for the measurement of impulse vibration.

5. LIMITS

The applicable sound level limits are contained in References 5 and 9. Reference 11 contains the applicable limits for impulse vibration. Continuous vibration is assessed using state-of-the-art criteria.

6. INFORMATION TO BE PROVIDED

The following sections detail the required information. For simple noise sources, the mandatory information specified in Section [7] is usually sufficient. For complex or multiple noise sources, the mandatory information must be supplemented by acoustical information contained in Section [8]. The information for the complex and multiple noise sources should be submitted in the form of an acoustical report prepared by a qualified acoustical consultant.

Section [9] details the required information for vibration sources. In the majority of cases, vibration information should be submitted in the form of a report prepared by a qualified vibration consultant.

7. MANDATORY INFORMATION

The mandatory information, that must be supplied in all cases, is expected to describe the basic physical and operational characteristics of the noise/vibration source, as well as its relationship to the closest points of reception. The purpose of this information is to allow the determination of the potential noise or vibration impact.

The mandatory information should consist of data such as the description of the equipment/facility and operation, operating hours, land use zoning designation of the surrounding area, area location plan, location and distance to points of reception, relevant architectural and mechanical drawings and details of any noise and vibration control measures.

Details of mandatory information requirements are contained in the Guide to Applying for Approval (Air): Noise and Vibration¹.

8. ACOUSTICAL REPORTS

The following list contains items that should be included in acoustical reports, in addition to the mandatory information:

(1) Source

The following information relating to the source or combination of sources is required:

- Time varying characteristics of generated sound (steady or intermittent);
- Tonal characteristics;
- Impulsive characteristics;
- Directivity pattern of proposed source;
- Measurement techniques and equipment used for evaluation of source emission;
- Octave or 1/3 octave sound power levels for the sources where available; or
- Octave or 1/3 octave sound pressure levels generated by the sources including measurement conditions, procedure and location of measurement points.

(2) Receptor

The following information is required at critical points of reception:

- One Hour Equivalent Sound Level (L_{eq}) of the source. For multiple sources or sources generating intermittent or time-varying sound, the hourly L_{eq} over a minimum period of 24 hours or for the operating cycle of the source, whichever is shorter, should be provided;
- Logarithmic Mean Impulse Sound Level (L_{LM}) of the source, if applicable;
- Prevailing meteorological conditions such as wind direction and speed, temperature inversion, etc.;
- For a location in a Class 3 Area, the existing One Hour Ninetieth Percentile Sound Level (L_{90}) of the background sound level at points of reception, obtained through monitoring over a minimum period of 48 hours. The monitoring should be conducted during times when the background sound level is at its lowest level. The lowest hourly L_{90} value should be selected to represent the background sound level;
- For all Areas, the existing One Hour Equivalent Sound Level (L_{eq}) of the background sound level obtained either by prediction or through monitoring over a minimum period of 48 hours. The monitoring should be conducted during times when the background sound level is at its lowest level. The lowest hourly L_{eq} value should be selected to represent the background sound level;
- Sound level using other specialized descriptors.

(3) Mitigation Measures

The following information is required when noise mitigation measures are used:

- Where sound sources are silenced, enclosed or shielded by barriers, the location, dimensions, structural details and material used;
- The specification of abatement equipment and materials such as, transmission loss, insertion loss and noise reduction;
- If the devices are standard catalogue items, indication of the manufacturer's make and model number;
- If alternative measures for noise abatement are proposed, a full description of the alternatives, administrative steps, changes in operational procedure or structural alterations, should be provided.

(4) **Acoustic Mapping**

Proposals for large manufacturing and/or process plants or industrial complexes where a multitude of sources exist require acoustical reports containing elaborate analysis of the noise impact. The impact reports should include sound level mapping in addition to the information specified in Section [6].

The sound level mapping should include the existing level of road traffic in the vicinity of the proposed installation and the increase in such traffic due to the plant's operation, projected for a period of at least ten years into the future.

(5) **Calculations**

All necessary supporting calculations.

9. **VIBRATION REPORTS**

The following list contains items that should be included in vibration reports, in addition to the mandatory information:

(1) **Source -**

The following information relating to the source or combination of sources is required:

- Relevant specification of the proposed vibration source(s) including type, model number, weight and weight distribution, dimensions relative to centre of gravity and number of mounting points;
- Operating characteristics of the source(s) such as RPM or strokes per minute;
- Type and description of surface upon which the source(s) is to be mounted;
- Sub-soil conditions, if known.

(2) **Receptor**

The following information is required at critical point(s) of reception:

- Physical and topographical description of the ground between the source(s) and point(s) of reception;
- Structural description of the buildings considered as a point of reception;
- Peak or RMS Vibration Velocity in millimetres per second, as applicable, including information on location of vibration transducer, using a sketch if necessary.

(3) **Mitigation Measures**

The following information is required when vibration mitigation measures are used:

- The description and specification of vibration isolation equipment and materials such as dynamic natural frequency, stiffness, damping factor and static deflection;
- If the vibration control equipment are standard catalogue items, manufacturer's make and model number;
- If alternative measures for vibration control are proposed, a full description of all alternatives, administrative steps, changes in operational procedure or structural alterations, should be provided.

(4) **Calculations**

- All necessary supporting calculations

10. REPORT FORMAT

The report must contain the required information, organized in a clear and concise manner. The report should include the following sections in the given sequence:

- Introduction (Background Information)
such as description of the site, acoustic environment, sound/vibration sources, etc;
- Impact Assessment
including applicable criteria, and results of pre- and post-abatement assessment at the critical points of reception due to individual as well as combined sources;
- Mitigation Measures
description and assessment of acoustic performance;
- Conclusions and Recommendations
summary of impacts, verification of compliance with limits and control measures;
- Appendices, etc.
details of measurements and calculations, specifications, plans, engineering drawings, etc.

11. APPROVAL OF ABATEMENT MEASURES

Abatement (mitigation) measures planned to alleviate existing noise/vibration problems are also subject to approval under Section 9 of the Environmental Protection Act.

12. ACOUSTIC AUDIT

The following represents the information which must be provided in an acoustic audit report:

(1) Acoustic Environment

- Location and description of sound sources in the equipment/facility subject to the acoustic audit;
- Dimensioned sketch including the location of equipment/facility and point(s) of reception showing all buildings and structures as well as physical and topographical description of the ground surface between the source and the measurement location(s);
- A brief description of the acoustic environment on the site, listing all significant sound sources including equipment/facility and other extraneous sources. Details of operating conditions of sound sources in the equipment/facility must be provided;
- Details of meteorological conditions at the site during the acoustic audit measurements, including wind speed, wind direction, temperature and relative humidity.

(2) Instrumentation

Details of all equipment used for acoustic audit measurements, including:

- Type and model of sound level meter, microphone, acoustic calibrator or any frequency analyzer or recording device, if used;
- Extension cables and additional amplifier, if used.

(3) Acoustical Data

Details of the sound level measurements including:

- Location of the microphone, using a sketch if necessary
- Date and time period of measurements;
- Details of measurement procedure;
- Results of background sound level measurements in terms of the Hourly equivalent sound level L_{eq} and/or L_{90} , as applicable, carried out at points of reception, preferably listed in a tabular form, referencing location on a sketch;
- Results of sound level measurements due to individual sources, preferably summarized in a table

- Results of sound level measurements due to operation of equipment/facility carried out at points of reception in terms of relevant acoustical descriptors;
- Adjustments made for special quality of sound;
- All necessary supporting calculations.

(4) **Assessment of Compliance**

- Comparison between the measured (adjusted, if applicable) sound levels and the applicable limits;
- Assessment of effectiveness of noise control measures included in the equipment/facility in reducing noise to applicable limits;
- Details of analysis of the effect of meteorological conditions on results of the acoustic audit measurements, if applicable.

13. **VIBRATION AUDIT**

The following represents the information which must be provided in a vibration audit report:

(1) **Vibration Environment**

- Location and description of vibration source(s) in the equipment/facility subject to the audit;
- Dimensioned sketch including the location of equipment/facility and point(s) of reception including the description of the ground between the source(s) and measurement location(s). Details of operating conditions of vibration source(s) in the equipment/facility must be provided;
- Structural description, including photographs if necessary, of the interior and exterior of the residential buildings where measurements were carried out;
- Details of meteorological conditions at the site during the vibration audit measurements, including the condition of the ground, such as moisture content, snow coverage, etc.

(2) **Instrumentation**

Details of all equipment used for vibration audit measurements, including:

- Type and model of vibration meter, transducer, vibration calibrator or any frequency analyzer or recording device, if used;
- Extension cables and additional amplifier, if used.

(3) **Vibration Data**

Details of vibration of vibration measurements including:

- Location of vibration transducer, using a sketch if necessary;
- Date and time period of measurements;
- Details of measurement procedure;
- Results of measurement in terms of the Peak or RMS, as applicable, Vibration Velocity in millimetres per second carried out at point(s) of reception, preferably listed in a tabular form referencing location on a sketch;
- All necessary supporting calculations.

(4) **Assessment of Compliance**

- Comparison between the measured vibration levels and the applicable limit;
- Assessment of effectiveness of vibration control measures included in the equipment/facility in reducing vibration to applicable limits.

SCHEDULE “2”

To By-law No. 03-020

“L”

013

AREA OF BLOCKS

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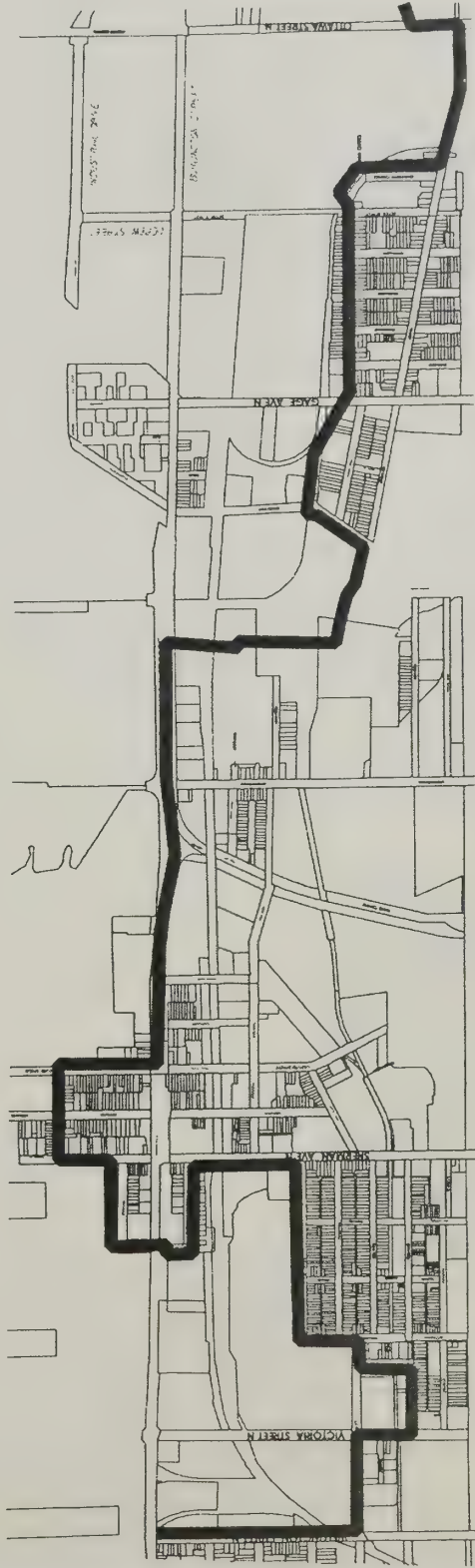
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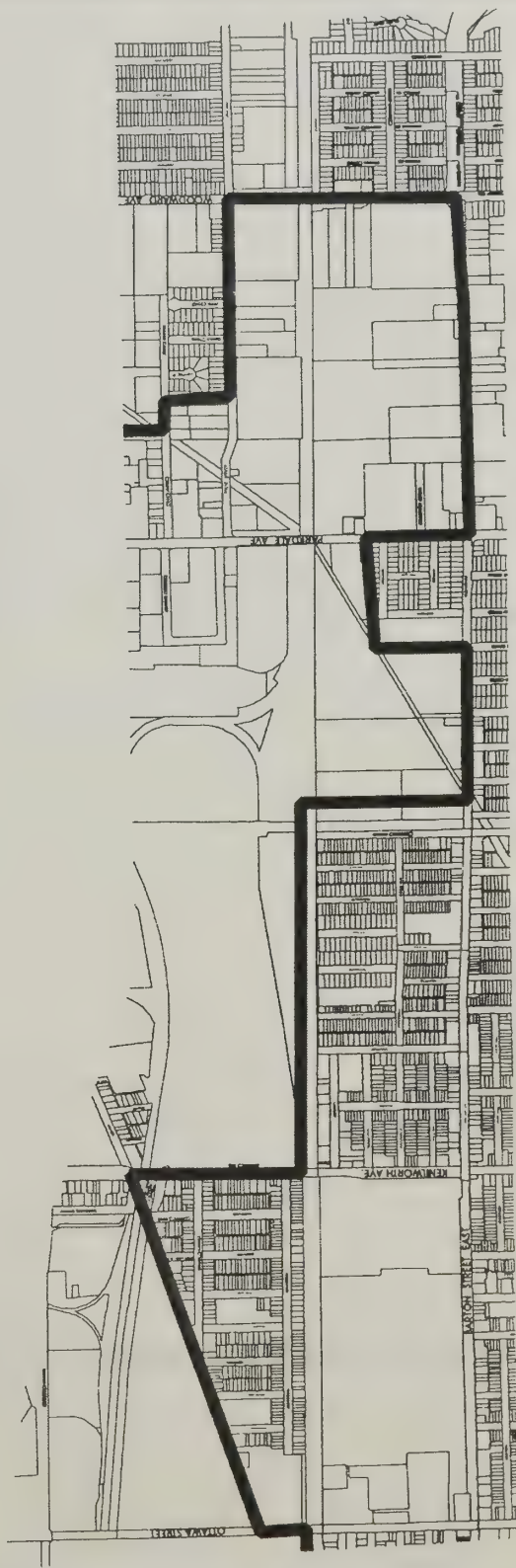
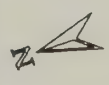
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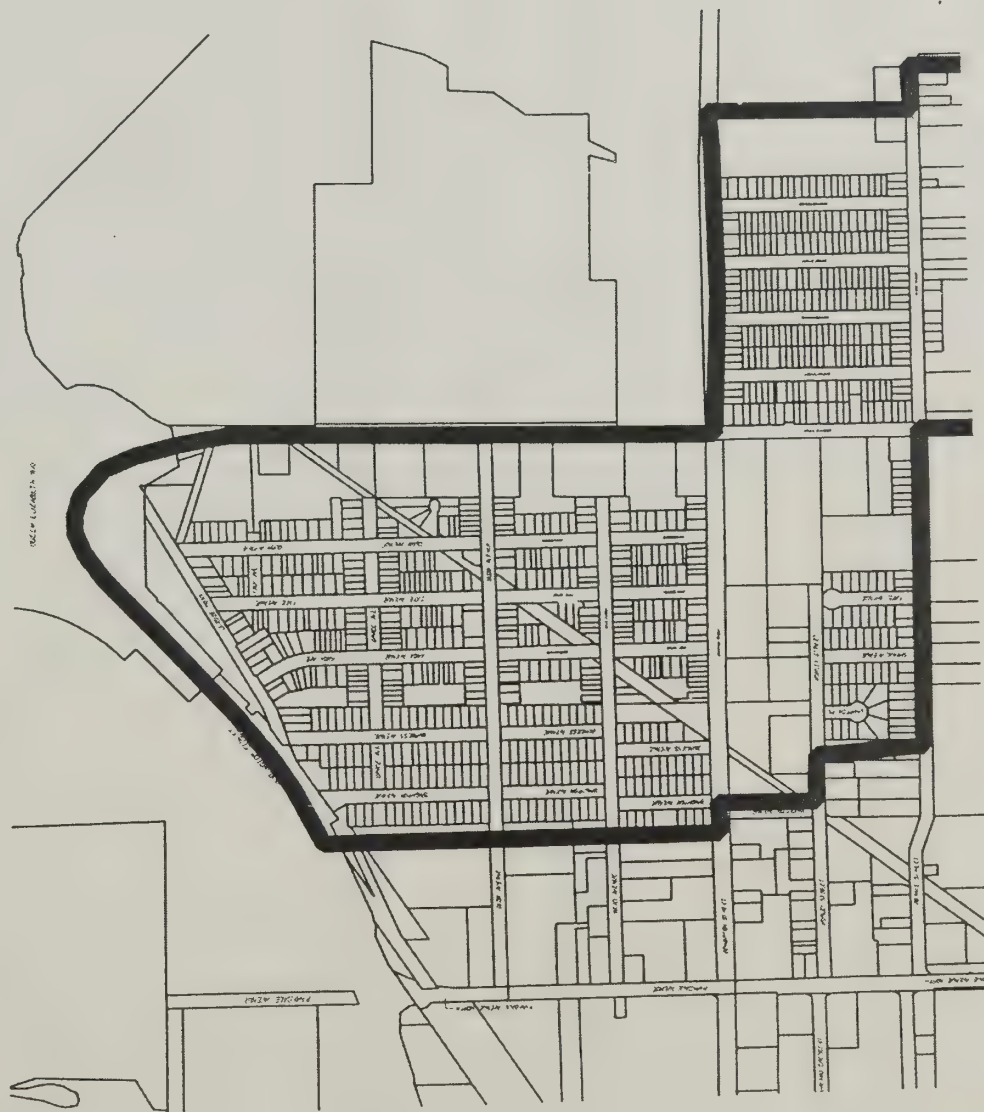


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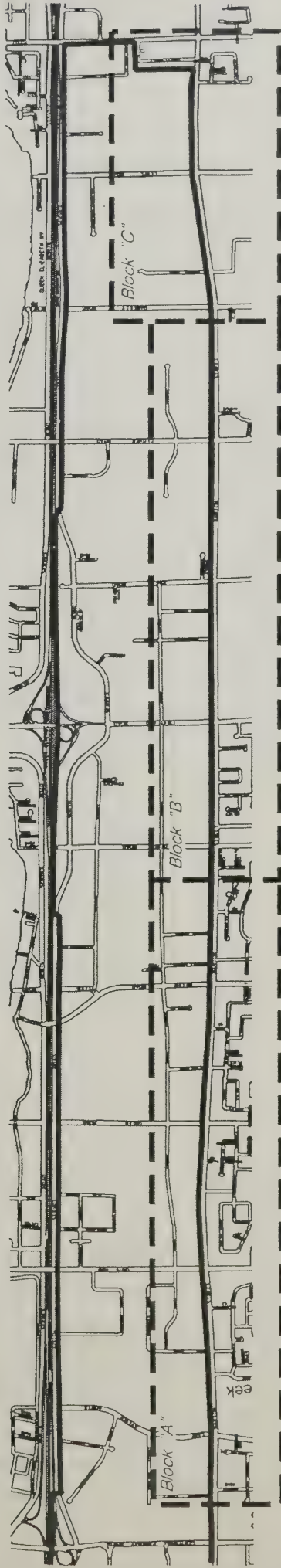
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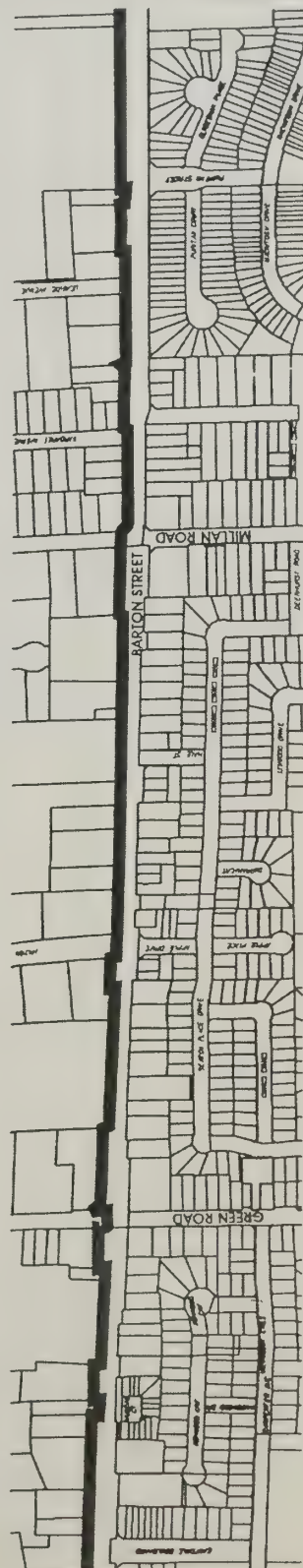
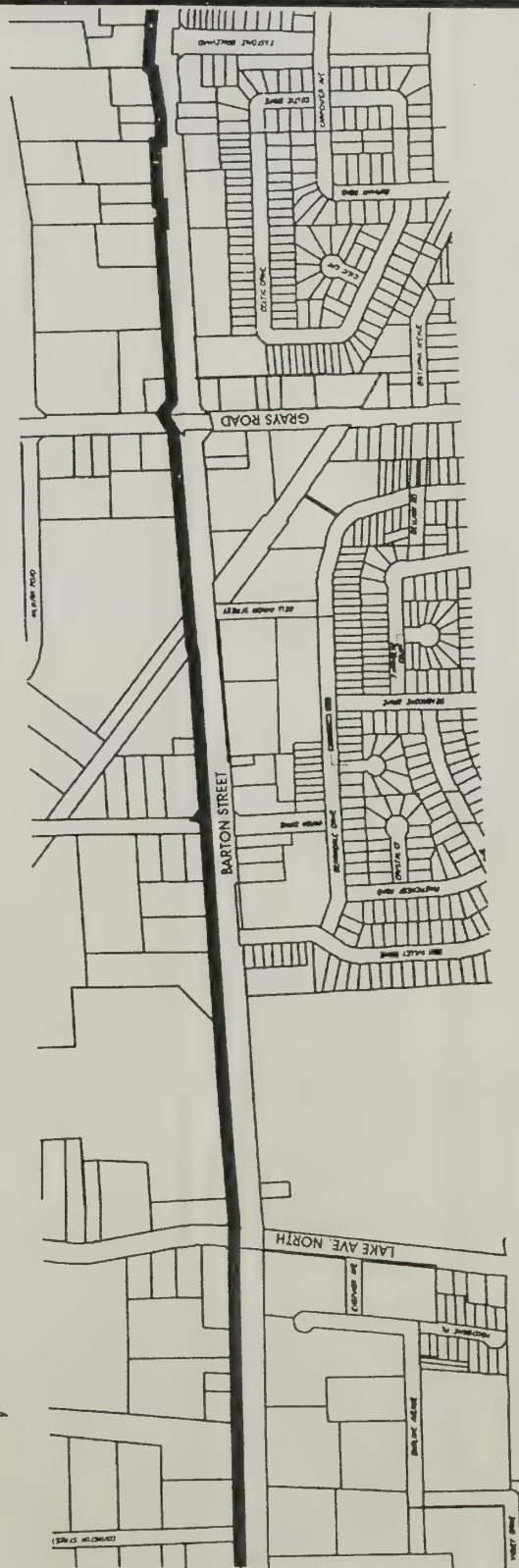
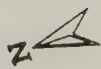
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AREA SUBJECT
TO BY-LAW

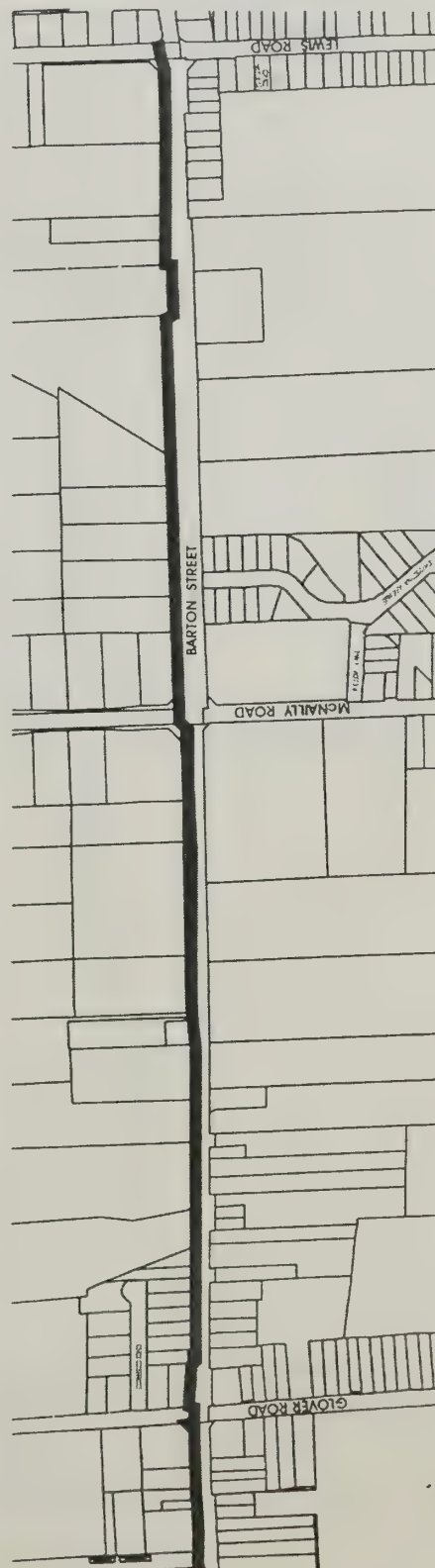
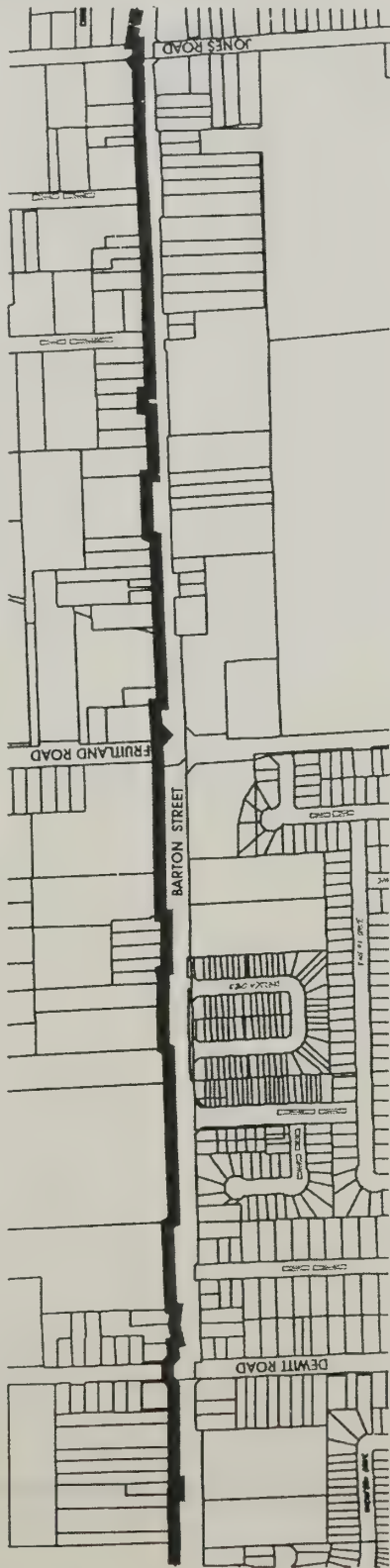
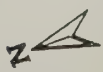
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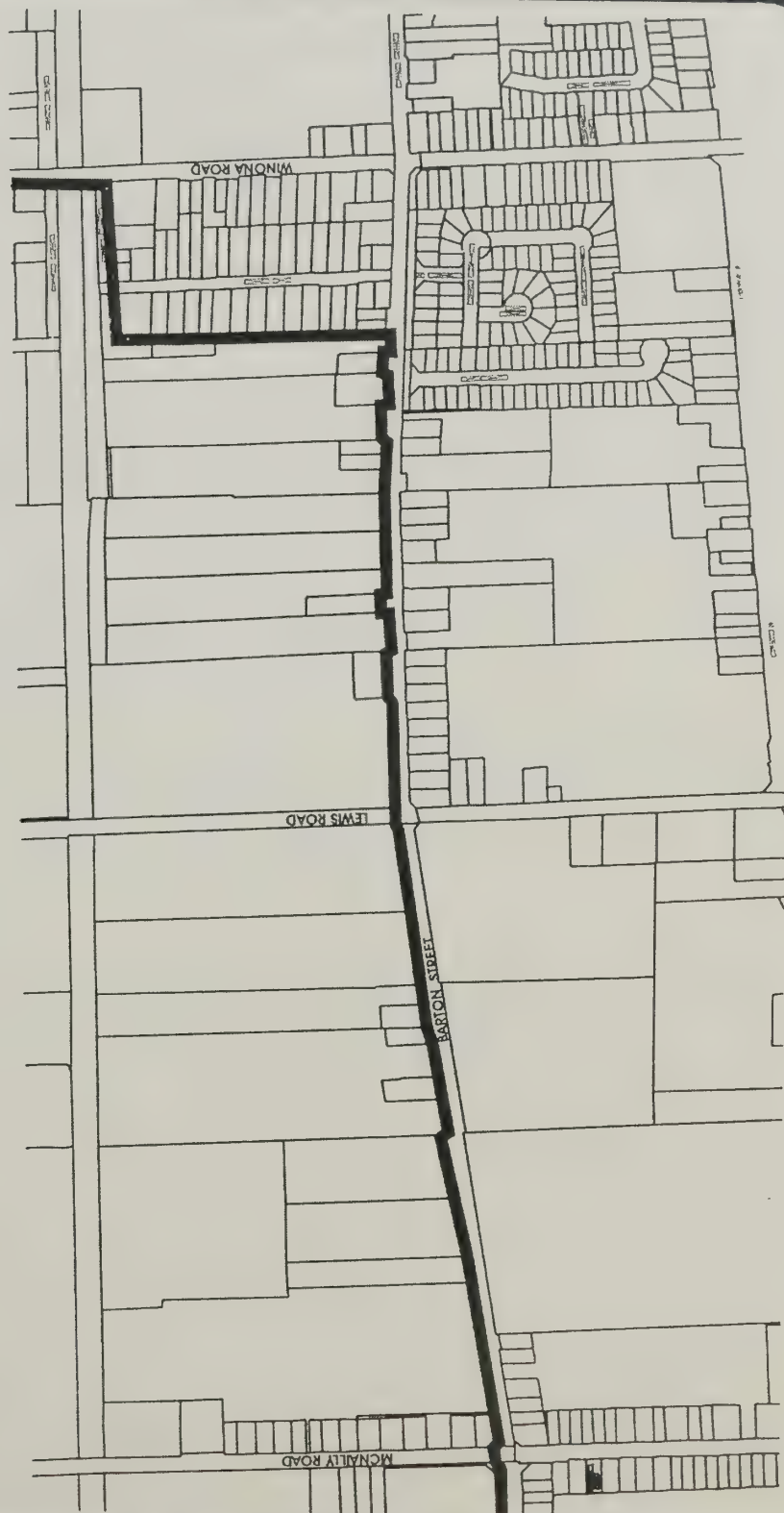
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Schedule "2" - Map "2" - Block "B"



Schedule "2" - Map "2" - Block "C"



THE CITY OF HAMILTON

BY-LAW NO. 03- 021

To Confirm the Proceedings of City Council at its meeting held on January 22, 2003

THE COUNCIL OF THE
CITY OF HAMILTON
ENACTS AS FOLLOWS:

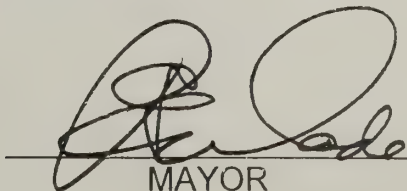
1. The Action of City Council at its meeting held on the 22nd day of January, 2003 in respect of each recommendation contained in:

Report 03-003 of the Committee of the Whole,
Report 03-002 of the Hearings Sub-Committee,
Report 03-003 of the Hearings Sub-Committee,

considered by City of Hamilton Council at the said meeting, and in respect of each motion, resolution and other action passed and taken by the City Council at its said meeting, is, except where prior approval of the Ontario Municipal Board is required, hereby adopted, ratified and confirmed.

2. The Mayor of the City of Hamilton and the proper officials of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required, and except where otherwise provided, the Mayor and the City Clerk are hereby directed to execute all documents necessary in that behalf, and the City Clerk is hereby authorized and directed to affix the Corporate Seal of the Corporation to all such documents.

PASSED and ENACTED this 8th day of January, 2003



MAYOR



CITY CLERK

CITY OF HAMILTON

BY-LAW NO. 03-037

To Authorize AN INTERIM TAX LEVY for 2003

WHEREAS the Council for the City of Hamilton deems it necessary to pass a by-law to levy on the whole of the assessment for each property class in the local municipality rateable for a local municipality purpose, a sum not to exceed that which would be produced by applying the prescribed percentage (or 50 percent if no percentage is otherwise prescribed) of the total amounts billed to each property for all purposes in the previous year on the properties that, in the current year, are in the property class as provided for in Section 317 of The Municipal Act, 2001;

AND WHEREAS Section 317 of The Municipal Act, also authorizes a Municipal Council, by by-law, to adjust the interim taxes on a property if the Council is of the opinion that the Interim Levy on a property is too high or too low in relation to its estimate of the total taxes which will be levied on the property in 2003;

NOW THEREFORE the Council for the City of Hamilton hereby enacts as follows:

1. The interim tax levies shall be levied and collected upon the whole of the rateable property categories in columns 1 and 2, shown below:

Column 1

Column 2

Class	Class Code
Residential	RT
Farmlands Awaiting Development	C1
Multi-Residential	MT
Residual Commercial	CT/DT
Residual Commercial Vacant	CU/DU
Shopping Centre	ST
Shopping Centre Vacant	SU
Parking and Vacant Commercial Land	CX/GT
Residual Industrial	IT
Residual Commercial Vacant Land and Unit	IU/IX
Large Industrial	LT
Large Industrial Vacant	LU
Pipeline	PT
Farmland	FT
Managed Forest	TT
Rail Right of Way	WT CN
Rail Right of Way	WT CP
Utility Right of Way	UT

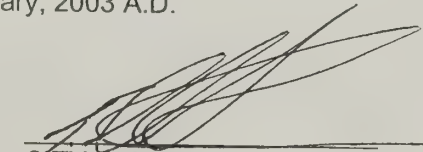
2. The interim tax levy shall become due and payable in two installments as follows:

Fifty percent of the interim levy, rounded upwards towards the next whole dollar, shall become due and payable on the 28th day of February, 2003 and the balance of the interim levy shall become due and payable on the 30th day of April, 2003 and non-payment of the amounts due on the dates stated, in accordance with this section, shall constitute default.

3. The penalties and interest on the interim taxes in arrears shall be 1.25% per month, imposed on the first day of default and on the first day of each calendar month thereafter in which default continues.
4. The interim tax levy rates shall also apply to any property added to the Assessment Roll after this By-law is enacted.
5. This by-law shall come into force and effect on the 1st day of January, 2003.

PASSED and ENACTED this 18th day of February, 2003 A.D.


MAYOR


CITY CLERK

THE CITY OF HAMILTON

BY-LAW NO. 03-038

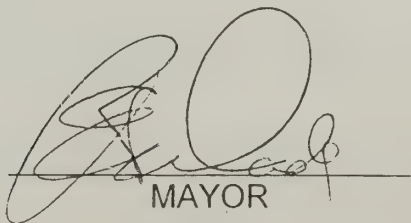
To Confirm the Proceedings of City Council at its special meeting held on February 18, 2003

**THE COUNCIL OF THE
CITY OF HAMILTON
ENACTS AS FOLLOWS:**

1. The Action of City Council at its meeting held on the 18th day of February, 2003 in respect of each recommendation contained in the Committee of the Whole,

considered by City of Hamilton Council at the said meeting, and in respect of each motion, resolution and other action passed and taken by the City Council at its said meeting, is, except where prior approval of the Ontario Municipal Board is required, hereby adopted, ratified and confirmed.
2. The Mayor of the City of Hamilton and the proper officials of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required, and except where otherwise provided, the Mayor and the City Clerk are hereby directed to execute all documents necessary in that behalf, and the City Clerk is hereby authorized and directed to affix the Corporate Seal of the Corporation to all such documents.

PASSED and ENACTED this 18th day of February, 2003



MAYOR



CITY CLERK

Authority: Item 1, Hearings Sub-Committee
Report 03-002 (PD02244)
CM: January 22, 2003

Bill No. 023

CITY OF HAMILTON

BY-LAW NO. 03-023

**To Amend Zoning By-law No. 87-57 (Ancaster), as amended
Respecting 413 Southcote Road (former Town of Ancaster)
Owned by Klaas and Wilma Klaver**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the Town of Ancaster" and is the successor to the former regional municipality, namely, The Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 87-57 (Ancaster) was enacted on the 22nd day of June 1987, and approved by the Ontario Municipal Board on the 23rd day of January, 1989;

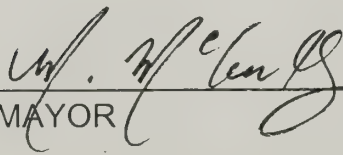
AND WHEREAS this By-law is in conformity with the Official Plan of the City of Hamilton (the Official Plan of the former Town of Ancaster).

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule "B", Map B1.4 of Zoning By-law No. 87-57 (Ancaster), as amended, is hereby amended;
 - (a) by changing from Agriculture "A" Zone to Residential "R4" Zone, for lands located at 413 Southcote Road more particularly shown on Schedule "A" which forms part of this By-law ; the extent and boundaries of which more particularly shown on Schedule "A" annexed hereto and forming part of this by-law.

2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

PASSED and ENACTED this 12th day of February, 2003


MAYOR


CLERK



This is Schedule "A" to By-Law No. 03—023

Passed the 12th day of February, 2003

[Signature]
Clerk

[Signature]
Mayor

Schedule "A"

Map Forming Part of
By-Law No. 03-023
to Amend By-Law No. 87-57



Hamilton

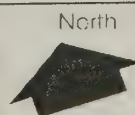
Planning and Development Department

Legend

Subject Property
413 Southcote Road
Part of Lot 48



Change in Zoning From Agriculture "A"
Zone to Residential "R4" Zone



Scale
NOT TO SCALE

Date
January 28, 2003

Reference File No.
ZAR-02-73

Drawn By
MR

CITY OF HAMILTON

BY-LAW NO. 03-024

**To Amend By-law No. 01-218, as amended,
Being a By-law To Regulate On-Street Parking**

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-218 to regulate on-street parking;

AND WHEREAS it is necessary to amend By-law No. 01-218, as amended;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 6 (Time Limit Parking) of By-law No. 01-218, as amended, is hereby further amended by adding to of Section "C" thereof the following item, namely:

"Braeheid Ave.	West	from 137.4m south of the extended south curb line of Rockhaven Lane to 76.5m southerly	8:00 a.m. to 4:30 p.m." Monday to Friday September to June
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2. Schedule 8 (No Parking Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "E" thereof the following item, namely:

"Campbell	North	Agnes to 12.5m easterly	7:00 a.m. to 6:00 p.m. Monday to Saturday
Parkdale	East	Roxborough to 61.9m southerly	Anytime"

and by deleting from Section "E" thereof the following item, namely:

"Tom	North	Breadalbane to west end	Anytime"
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and by deleting from Section "G,(II)" thereof the following item, namely:

"Parkdale	East	175 ft. south of Roxborough to 25 ft. southerly	Anytime"
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3. Schedule 9 (Alternate Side Parking) of By-law No. 01-218, as amended, is hereby further amended by deleting Section "C" in its entirety, and is hereby further amended by adding to Section "C" thereof the following items, namely:

"Braeheid Ave.	Riley St. to 175m northerly	West	East
Braeheid Ave.	Parkside Dr. to 116.7m south of Rockhaven Lane	West	East
Chudleigh St.	Eileen St. to White Oak Dr.	North & West	South & East
Chudleigh St.	Riley St. to Eileen St.	North	South
Eileen St.	Chudleigh St. to Glaceport Ave.	East	West
Glaceport Ave.	Chudleigh St. to Eileen St.	North & West	South & East
Melissa Cres.	End to End	North/West & South (Counter clockwise direction of travel)	South/West & North (Clockwise direction of travel)
Nelson St.	Victoria St. to the dead end	North	South
Riley St.	Highway No. 5 to Chudleigh St.	West	East
Victoria St.	Church St. to Parkside Dr.	West	East
White Oak Dr.	Chudleigh St. to Hamilton St.	North	South"

4. Schedule 12 (Permit Parking Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "E" thereof the following items, namely:

"Campbell	North	from 19.2m east of Agnes to 6.1m easterly	Anytime
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Campbell	South	from 7.9m east of the extended east curb line of Agnes to 5.5m easterly	Anytime
Chestnut	East	from 132m north of Cannon to 6.7m northerly	Anytime
Glendale	East	from 73.5m south of Barton to 5.9m southerly	Anytime"

and by deleting from Section "E" thereof the following items, namely:

"Tom	North	commencing at a point 137 feet east of Dundurn to a point 16 feet easterly therefrom	Anytime
Weir	East	from 31 feet south of Britannia and extending 26 feet southerly therefrom	Anytime"

5. Schedule 13 (No Stopping Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "A" hereof the following items, namely:

"Kitty Murray West Ln.	Golf Links Rd. to 107.6m southerly	Anytime
Kitty Murray East Ln.	Golf Links Rd. to 99.7m southerly	Anytime"

and by adding to Section "C" thereof the following items, namely:

"Braeheid Ave.	West	from 103.6m south of the extended south curb line of Rockhaven Lane to 33.8m southerly	Anytime
Braeheid Ave.	East	from 116.7m south of Rockhaven Lane to 27.3m southerly	Anytime
Braeheid Ave.	West	from 152.7m north of Riley St. to 28.5m northerly	Anytime"

and by adding to Section "E" thereof the following item, namely:

"Anson	South	Carson to 150m westerly	7:00 a.m. to 6:00 p.m." Monday to Saturday
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6. Schedule 16 (Taxi Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "B" thereof the following item, namely:

"Foundry St. West King St. to 14m southerly Anytime"

and by deleting from Section "B" thereof the following item, namely:

"Foundry St. West Side Southerly from King St. W., a distance of 14m."

and by adding to Section "E" thereof the following items, namely:

"Barton	North	from 43.1m east of Gibson to 13.6m easterly	Anytime
Bay	East	from 51.5m north of King to 11.9m northerly	Anytime
Currie	West	from 23.2m south of the extended south curb line of Dubarry to 18.3m southerly	Anytime
East 19 th	West	from 53.6m south of Concession to 15.2m southerly	7:00 a.m. to 6:00 p.m. Monday to Friday
East 27 th	East	from 36.9m north of Burkholder to 13.7m northerly	7:00 a.m. to 6:00 p.m. Monday to Saturday
East 36 th	East	from 48.2m north of Munn to 6.7m northerly	7:00 a.m. to 6:00 p.m. Monday to Friday
Eastwood	East	from 15.9m south of Melvin to 7.6m southerly	7:00 a.m. to 6:00 p.m. Monday to Friday
Glen Echo	West	from 32.3m north of the extended north curb line of Loyalist (south intersection), to 31.1m Northerly	7:00 a.m. to 6:00 p.m.
Greenhill	South	from 24.1m east of Kimberly to 6.1m easterly	7:00 a.m. to 6:00 p.m. Monday to Friday
Hunter	South	from 18m west of John to 24.7m westerly	Anytime
King	North	(South Branch), John to Catharine	Anytime
King	North	(Loading Bay), from 149.1m east of Bay to 6.1m easterly	Anytime

King	South	(Loading Bay), from 12.2m east of Catharine to 12.2m easterly	6:00 p.m. to 6:00 a.m. Monday to Friday and all day on Saturday and Sunday
King	North	from 27.1m west of the extended east curb line of MacNab to 11.6m westerly	Anytime
King	South	from 22m west of James to 13.4m westerly	Anytime
King	South	from 37.8m east of Summers Lane to 6.1m easterly	Anytime
King William	North	from 24.4m west of Catharine to 11.6m westerly	6:00 p.m. to 2:00 a.m.
Magnolia	East	from 15.9m north of the extended north curb line of Leclair to 6.1m northerly	7:00 a.m. to 6:00 p.m. Monday to Saturday
Queen Victoria	West	from 39.3m north of Queensbury to 18.3m northerly	Anytime
York	South	from 12.2m east of the extended curb line of MacNab to 5.5m easterly	Anytime"

and by deleting from Section "E" thereof the following items, namely:

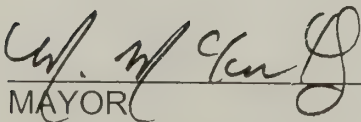
"Currie	West	60 feet	76 feet south of the south curb line of Dubarry	Anytime
East 19 th	West	50 feet	176 feet south of Concession	7:00 am – 6:00 pm Monday to Friday
East 27 th	East	13.7m	36.9m north of Burkholder	7:00 am – 6:00 pm Monday to Saturday
East 36 th	East	22 feet	158 feet north of Munn	7:00 am – 6:00 pm Monday to Friday

Eastwood	East	25 feet	52 feet south of Melvin	7:00 am – 6:00 pm Monday to Friday
Glen Echo	West	102 feet	106 feet north of the north curb line of the south leg of Loyalist	7:00 am – 6:00 pm
Greenhill	South	20 ft.	79 feet east of Kimberly	7:00 am – 6 pm Mon to Fri
Hunter	South	81 ft	59 feet west of John	Anytime
King	North	110 feet	John to Catharine	Anytime
King William	North	38 ft	80 ft west of Catharine	6 pm – 2 am
Magnolia	East	20 feet	52 feet north of the north curb line of Leclaire	7:00 am – 6:00 pm Monday to Saturday
Park	East	85 ft	30 ft north of King	Anytime
Queen Victoria	West	60 feet	129 feet north of Queensbury	Anytime"

and by deleting Section "G", in its entirety.

7. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-218, including all Schedules thereto, as amended, is hereby confirmed unchanged.
8. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and ENACTED this 12th day of February, 2003.


MAYOR


CITY CLERK

CITY OF HAMILTON

BY-LAW NO. 03-025

**To Amend By-law No. 01-218, as amended,
Being a By-law To Regulate On-Street Parking**

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-218 to regulate on-street parking;

AND WHEREAS it is necessary to amend By-law No. 01-218, as amended;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 8 (No Parking Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "A" thereof the following item, namely:

"Osprey Dr. Both from the easterly limit of Osprey Dr. to 65m Anytime"
westerly

and by adding to Section "C" thereof the following item, namely:

"Royal Edge West & from 62.5m south of the south curb line of Anytime"
Way North Brian Blvd. to 24.4m southerly and then
14m westerly

and by adding to Section "E" thereof the following items, namely:

"East Av. East from the southern end of East Av. December to March
to 16.3m northerly

Parkdale	East	Burlington to the northerly end	Anytime
Parkdale	East	from 150.3m north of Roxborough to 14m northerly	Anytime
Parkdale	East	Burlington to 46m south of Dunsmure	Anytime
Parkdale	West	Queenston to Burlington	Anytime
Parkdale	East	from 64m north of Main to 8.5m northerly	Anytime
Parkdale	East	from 53.3m south of Roxborough to 7.6m northerly	Anytime
Parkdale	East	from 60.7m north of Dunsmure to 9.1m	Anytime
Parkdale	West	from 33.5m north of Britannia to 9.1m northerly	Anytime"

and by deleting from Section "E" thereof the following item, namely:

"Parkdale Both Burlington to 410 ft. northerly Anytime"

and by deleting from Section "G(I)" thereof the following items, namely:

"Parkdale East 493 ft. north of Roxborough to 46 ft. northerly Anytime

Parkdale East 151 ft. south of Dunsmure to Burlington Anytime

Parkdale West Queenston to Burlington Anytime"

and by deleting from Section "G(II)" thereof the following items, namely:

"Parkdale East 210 ft. north of Main to 28 ft. northerly Anytime

Parkdale East 175 ft. south of Roxborough to 25 ft. Anytime

Parkdale East 199 ft. north of Dunsmure to 30 ft. northerly Anytime

Parkdale West 110 ft. north of Britannia to 30 ft. northerly Anytime"

2. Schedule 12 (Permit Parking Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "E" thereof the following items, namely:

"Balmoral	West	from 7m south of Sherbrook to 6.9m southerly	Anytime
Balmoral	East	from 6.1m south of Sherbrook to 6.1m southerly	Anytime"

and by deleting from Section "E" thereof the following items, namely:

"Emerald	West	commencing 62 feet south of Brige and extending 21 feet westerly therefrom	Anytime
Rutherford	South	from 31.7m west of Sanford and extending 6m westerly therefrom	Anytime
Woodbine	North	commencing at a point 398 feet west of York Blvd. to a point 22 feet westerly therefrom	Anytime"

3. Schedule 13 (No Stopping Zones) of By-law No. 01-218, as amended, is hereby further amended by deleting from Section "C" thereof the following items, namely:

"Brian Blvd.	East	110 Brian Blvd. to 124 Brian Blvd.	Mon. – Fri. 7:30 am – 4:00 pm
Brian Blvd.	East	110 Brian Blvd. to 124 Brian Blvd.	Mon. – Fri. 7:30 am – 4:00 pm
Brian Blvd.	West	109 Brian Blvd. to 123 Brian Blvd.	7:30 am – 4:00 pm
Brian Blvd.	West	109 Brian Blvd. to 123 Brian Blvd.	Mon. – Fri." 7:30 am – 4:00 pm

and by adding to Section "E" thereof the following items, namely:

"Parkdale	West	Burlington to 196.6m northerly	Anytime
Parkdale	East	Mead to 85.7m north	Anytime
Parkdale	East	Mead to Brampton	Anytime

Parkdale	East	King to Burlington	7:00 a.m. to 9:00 a.m. Monday to Friday
Parkdale	West	Melvin to Barton	7:00 a.m. to 9:00 a.m. Monday to Friday
Parkdale	West	Burlington to King	4:00 p.m. to 6:00 p.m. Monday to Friday
Parkdale	East	Dunsmure to Burlington	4:00 p.m. to 6:00 p.m. Monday to Friday
Rosslyn	West	from 157m north of Barton to 17.7m northerly	Anytime
Wellington	East	Barton to Wilson	4:00 p.m. to 6:00 p.m. Monday to Friday
Wellington	East	King William to Hunter	4:00 p.m. to 6:00 p.m." Monday to Friday

and by deleting from Section "E" thereof the following item, namely:

"Whitfield	North	Birmingham to 187 feet east	Mon. – Fri." 8:30 am – 5:00 pm
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and by adding to Section "F" thereof the following items, namely:

"Dupont Street	Both	from 86m east of Dewitt Road to 75m easterly and northerly onto Hewitson Road	Anytime
Randall Avenue	North	from 259.6m east of Centennial Parkway to 17.2m easterly	Anytime
Randall Avenue	North	from 276.8m east of Centennial Parkway to 52.4m easterly	8:00 a.m. to 5:00 p.m. Monday to Friday
Randall Avenue	South	from 258.7m east of Centennial Parkway to 20.6m easterly	Anytime
Randall Avenue	South	from 323.5m east of Centennial Parkway to 8.2m easterly	Anytime"

and by deleting from Section "G" thereof the following items, namely:

"Parkdale	East	Mead to 281 feet north	Anytime
Parkdale	East	Mead to Brampton	Anytime
Parkdale	East	King to Burlington	Mon. – Fri. 7:00 am – 9:00 am
Parkdale	West	Melvin to Barton	Mon. – Fri. 7:00 am – 9:00 am
Parkdale	West	Burlington to King	Mon. – Fri. 4:00 pm – 6:00 pm
Parkdale	East	Dunsmure to Burlington	Mon. – Fri. 4:00 pm – 6:00 pm
Wellington	East	Barton to Hunter	Mon. – Fri." 4:00 p.m. – 6:00 p.m.

4. Schedule 14 (Wheelchair Loading Zones) of By-law No. 01-218, as amended, is hereby further amended by deleting from Section "E" thereof the following item, namely:

"Park Row	East	19 feet	84 feet north of Roxborough	10:00 a.m. to 5:00 p.m." Monday to Friday
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5. Schedule 20 (School Bus Loading Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "F" thereof the following items, namely:

"Faircourt Drive	Both	from the easterly end of Faircourt Drive to 30m westerly	8:00 a.m. to 5:00 p.m. Monday to Friday
Randall Avenue	South	from 279.3m east of Centennial Parkway to 44.2m easterly	8:00 a.m. to 5:00 p.m." Monday to Friday

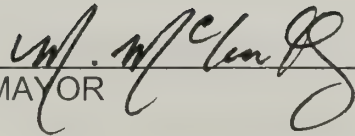
and by deleting from Section "F" thereof the following items, namely:

"Faircourt Drive	North	From the east side of Faircourt Drive to a point 30m west	8:00 am – 9:00 am 11:30 am – 1:00 pm 3:15 pm – 4:15 pm
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Randall Avenue	South	From 285m east of Centennial Parkway to a point 44m east	8:00 am – 9:00 am” 11:30 am – 1:00 pm 3:15 pm – 4:15 pm
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6. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-218, including all Schedules thereto, as amended, is hereby confirmed unchanged.
7. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and ENACTED this 12th day of February, 2003.



MAYOR



CITY CLERK

CA4 DN HBL A08
B91
2003

Authority: Item 9, Committee of the Whole
Report 03-003 (TOE03008)
CM: January 22, 2003

Bill No. 26

CITY OF HAMILTON

BY-LAW NO. 03-026

To Amend By-law No. 01-215
Being a By-law To Regulate Traffic

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

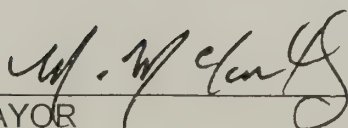
AND WHEREAS it is necessary to amend By-law No. 01-215;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 5 (Stop Signs) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "F" thereof the following item, namely:

"Durham Road North & South Celtic Drive (south-west intersection)"
2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and ENACTED this 12th day of February, 2003


MAYOR


CITY CLERK

City of Hamilton

BY-LAW NO. 03-027

To Amend:

Zoning By-law No. 3692-92 (Stoney Creek), as amended

Respecting:

**LANDS LOCATED IN REGISTERED PLAN 62M-950, "Fifty Road
Joint Venture Inc. – Phase 1" and Draft Plan 25T-89018 (R)
(former City of Stoney Creek)**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the Township of Glanbrook" and is the successor to the former regional municipality, namely, The Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 3692-92 (Stoney Creek) was enacted on the 8th day of December, 1992, and approved by the Ontario Municipal Board on the 31st day of May, 1994;

AND WHEREAS this By-law is in conformity with the Official Plan of the City of Hamilton (formerly the City of Stoney Creek Official Plan), approved by the Minister under the Planning Act on May 12, 1986.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That Subsection 6.6.7, "Special Exemptions" of Section 6.6 Single Residential - Five "R5" Zone of Zoning By-law No. 3692-92, be amended by modifying Special Exemption "R5-6" to include the following:

"Notwithstanding the provisions of Paragraph (d) of Section 6.1.8 "Parking Restrictions in Residential Zones" of Zoning By-law No. 3692-92, on those lands zoned "R5-6" by this By-law, the following shall apply:

One parking space within a private residential garage shall not be less than 2.7 metres in width or less than 5.8 metres in length."

2. That Subsection 6.9.6, "Special Exemptions" of Section 6.9 Multiple Residential - Two "RM2" Zone of Zoning By-law No. 3692-92, be amended by modifying Special Exemption "RM2-5" to include the following:

"Notwithstanding the provisions of Paragraph (d) of Section 6.1.8 "Parking Restrictions in Residential Zones" of Zoning By-law No. 3692-92, on those lands zoned "RM2-5" by this By-law, the following shall apply:

One parking space within a private residential garage shall not be less than 2.7 metres in width or less than 5.8 metres in length."

3. That Subsection 6.9.6, "Special Exemptions" of Section 6.9 Multiple Residential - Two "RM2" Zone of Zoning By-law No. 3692-92, be amended by modifying Special Exemption "RM2-6" to include the following:

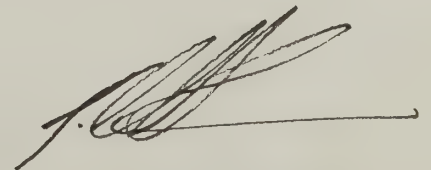
"Notwithstanding the provisions of Paragraph (d) of Section 6.1.8 "Parking Restrictions in Residential Zones" of Zoning By-law No. 3692-92, on those lands zoned "RM2-6" by this By-law, the following shall apply:

One parking space within a private residential garage shall not be less than 2.7 metres in width or less than 5.8 metres in length."

4. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

PASSED this 12th day of February, A. D. 2003

MAYOR



CITY CLERK

CA4 ON HBL A08
B91
2003

Authority: Item 3, Hearings Sub-Committee
Report 03-02 (PD03009)
CM: January 22, 2003

Bill No. 028

CITY OF HAMILTON

BY-LAW NO. 03-028

To Adopt:

Official Plan Amendment No. 89 to the former Town of Ancaster Official Plan;

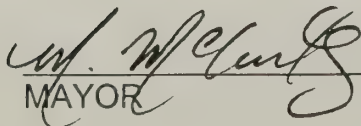
Respecting:

412 and 416 Highway No. 52

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Amendment No. 89 to the Official Plan of the former Town of Ancaster Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.
2. It is hereby authorized and directed that such approval of the Official Plan Amendment referred to in section 1 above, as may be requisite, be obtained and for the doing of all things for the purpose thereof.

PASSED AND ENACTED this 12th day of February 2003.


MAYOR


CLERK

Amendment No. 89
to the
Official Plan of the Former Town of Ancaster

The following text and Schedule "F", attached hereto, constitute Official Plan Amendment No. 89.

Purpose:

The purpose of the Amendment is to allow a domestic dog and cat kennel operation in addition to the existing permitted uses in the agricultural designation.

Location:

The lands affected by this Amendment are municipally known as 412 and 416 Highway No. 52. The subject lands are located south of Highway No. 403, and North of Highway No. 2.

Basis:

The intent of this Amendment is to establish a Specific Policy Area to permit a domestic dog and cat kennel operation. The basis for permitting the proposal is as follows:

- The proposed kennel will not result in the removal of prime agricultural lands from production, and is concentrated within the existing warehouse building on the subject lands;
- The proposed kennel is compatible with the very low density land use character of the area and will not negatively impact the adjacent agricultural or residential uses.

Actual Changes:

1. Amend Schedule "F", Specific Policy Areas, by adding the subject lands as Specific Policy Area No. 53, as shown on attached Schedule "F" of this Amendment.
2. That Section 5.7 Other Specific Policy Areas, be amended by adding the following as Subsection 5.7.48:

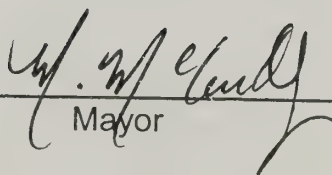
"Notwithstanding Section 4.1 Agricultural, as identified on Schedule "F" as Specific Policy Area No. 53, an animal kennel shall be permitted within the existing building on the property municipally known as 416 Highway No. 52."

Implementation:

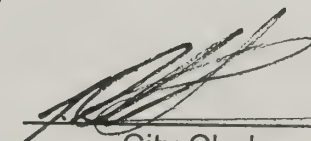
An implementing Zoning By-Law Amendment and the provisions of Section 7: Implementation of the former Town of Ancaster Official Plan will give effect to this Amendment.

This is Schedule 1 to By-law No. 03-028 passed on the 12th day of February, 2003.

**The
City of Hamilton**



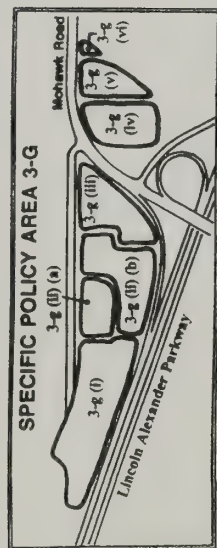
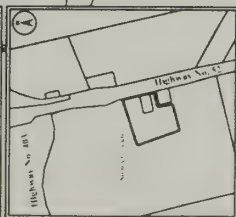
Mayor



City Clerk

Draft Schedule "F" Amendment No. DRAFT to the Former Town of Ancaster Official Plan	
Date: February, 2003	Revised by: Kyle MacIntyre
Reference File No.: OPA 89(A)	

■ Add Subject land as Specific Policy Area No. 53



TOWN OF DUNDAS

Legend

Specific Policy Areas
 Area 1 - refer to subsection 5.4
 Area 2 - refer to subsection 5.5
 Area 3 - refer to subsection 5.6

3-G refer to Policy 5.6.10
 3-G refer to Policy 5.6.11
 3-G refer to Policy 5.6.12

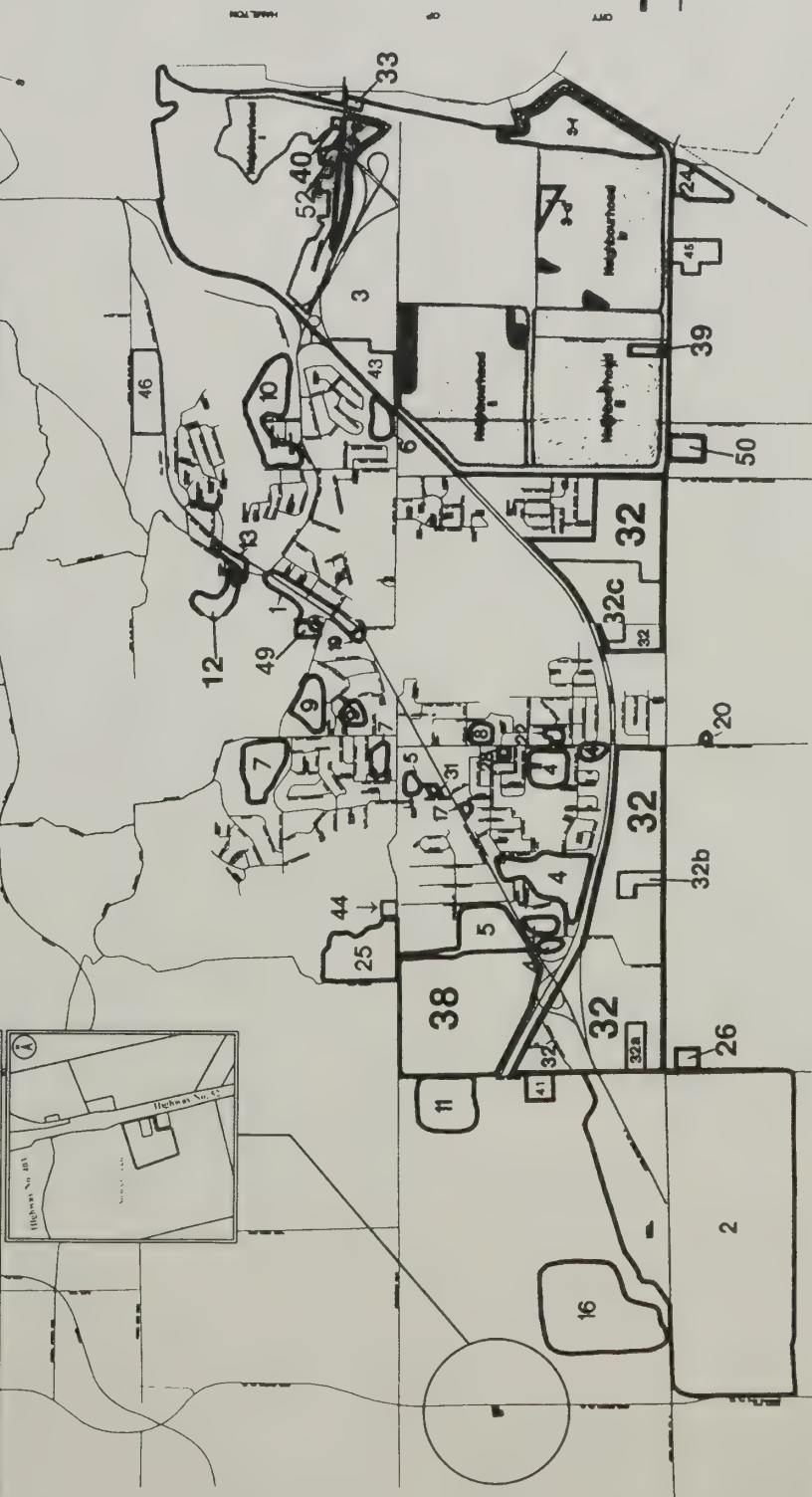
Area 4 - refer to Policy 5.7.1
 Area 5 - refer to Policy 5.7.2
 Area 6 - refer to Policy 5.7.3
 Area 7 - refer to Policy 5.7.4
 Area 8 - refer to Policy 5.7.5
 Area 9 - refer to Policy 5.7.6
 Area 10 - refer to Policy 5.7.7
 Area 11 - refer to Policy 5.7.8
 Area 12 - refer to Policy 5.7.9
 Area 13 - refer to Policy 5.7.10
 Area 14 - refer to Policy 5.7.11
 Area 15 - refer to Policy 5.7.12
 Area 16 - refer to Policy 5.7.13
 Area 17 - refer to Policy 5.7.14
 Area 18 - refer to Policy 5.7.15
 Area 19 - refer to Policy 5.7.16
 Area 20 - refer to Policy 5.7.17
 Area 21 - refer to Policy 5.7.18
 Area 22 - refer to Policy 5.7.19
 Area 23 - refer to Policy 5.7.20
 Area 24 - refer to Policy 5.7.21
 Area 25 - refer to Policy 5.7.22
 Area 26 - refer to Policy 5.7.23
 Area 27 - refer to Policy 5.7.24
 Area 28 - refer to Policy 5.7.25
 Area 29 - refer to Policy 5.7.26
 Area 30 - refer to Policy 5.7.27
 Area 31 - refer to Policy 5.7.28
 Area 32 - refer to Policy 5.7.29
 Area 33 - refer to Policy 5.7.30
 Area 34 - refer to Policy 5.7.31
 Area 35 - refer to Policy 5.7.32
 Area 36 - refer to Policy 5.7.33
 Area 37 - refer to Policy 5.7.34
 Area 38 - refer to Policy 5.7.35
 Area 39 - refer to Policy 5.7.36
 Area 40 - refer to Policy 5.7.37
 Area 41 - refer to Policy 5.7.38
 Area 42 - refer to Policy 5.7.39
 Area 43 - refer to Policy 5.7.40
 Area 44 - refer to Policy 5.7.41
 Area 45 - refer to Policy 5.7.42
 Area 46 - refer to Policy 5.7.43
 Area 47 - refer to Policy 5.7.44
 Area 48 - refer to Policy 5.7.45
 Area 49 - refer to Policy 5.7.46
 Area 50 - refer to Policy 5.7.47
 Area 51 - refer to Policy 5.7.48
 Area 52 - refer to Policy 5.7.49

Policy Area Boundaries
 Neighbourhood Area Boundaries

SCHEDULE F

TO THE OFFICIAL PLAN
 OF THE TOWN OF DUNDAS

REVISED 12/05/02



CA4 ON HBL A08
B91
2003

Authority: Item 3, Hearings Sub-Committee
Report 03-02 (PD03009)
CM: January 22, 2003

Bill No. 029

CITY OF HAMILTON

BY-LAW NO. 03-029

To Amend:

Zoning By-law No. 87-57 (Ancaster),

Respecting:

LANDS LOCATED AT 412 AND 416 HWY. NO. 52 SOUTH

Owned by Paul and Gwen Jess
(former Town of Ancaster)

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the Town of Ancaster" and is the successor to the former regional municipality, namely, The Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 87-57 (Ancaster) was enacted on the 22nd day of June 1987, and approved by the Ontario Municipal Board on the 23rd day of January, 1989;

AND WHEREAS this By-law is in conformity with the Official Plan of the City of Hamilton (the Official Plan of the former Town of Ancaster), as amended by Official Plan Amendment No. 89 proposed by the City of Hamilton, but not yet approved in

accordance with the provisions of the Planning Act.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule "A" (Map 1, North Half) of Zoning By-law No. 87-57 (Ancaster), as amended, is hereby amended by changing the zoning of the lands that are located at 412 and 416 Highway No. 52 South from Agricultural "A" Zone to the Site-Specific Agricultural "A-490" Zone comprising 2.18 hectares (5.3 acres) located within Part of Lot 30, Concession 3, (Former Town of Ancaster) more particularly shown on Schedule "A" which forms part of this By-law.
2. Section 34.1: Exceptions of Zoning By-law 87-57 (Ancaster), is hereby further amended by adding the following new subsection:

A-490 Permitted Uses

A kennel may only be permitted within the existing accessory industrial building and in association with a residential dwelling.

For the purpose of this By-law, a Kennel shall mean "a building used only for the keeping and boarding of dogs and cats."

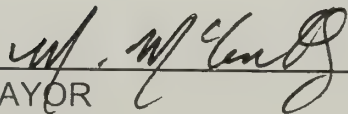
Regulations

For the purposes of the Site-Specific A-490 Zone, the following regulations shall apply for the development of a kennel:

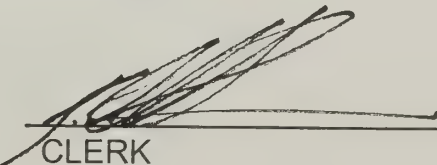
- (1) Parking - A minimum of 10 parking spaces are required.
- (2) Maximum Number of Boarded Animals - 75 dogs and 25 cats.
- (3) Landscaping - Solid landscaping shall be provided along the westerly lot line having a minimum width of 1.5 metres to screen the kennel and parking area from the residential dwelling on the abutting lot.
- (4) Building Height - Accessory Buildings or Kennel shall not exceed 5.5 metres.

- (5) Open Area Setback - Outdoor animal play areas shall be located a minimum distance of 30 metres from any lot line of an abutting property containing a residential use.
 - (6) Dog Runs – Dog runs are to be enclosed and are not to exceed 4.5 metres in length.
 - (7) Fencing – Minimum 1.8 metre high solid acoustical fencing is required around the perimeter of all dog runs.
3. All other permitted uses and regulations of Section 8 Agricultural "A" Zone and Section 7, General Provisions of Zoning By-law 87-57 (Ancaster) shall continue to apply.
4. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

PASSED and ENACTED this 12th day of February, 2003.



MAYOR



CLERK



This is Schedule "A" to By-Law No. 03—029

Passed the 12th day of February, 2003

Clerk

Mayor

Schedule "A"

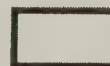
Map Forming Part of
By-Law No. 03-029
to Amend By-Law No. 87-57



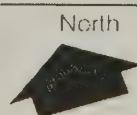
Hamilton

Planning and Development Department

Legend



Change from Agricultural "A" Zone to
Site Specific Agricultural "A-490" Zone



North

Scale
NOT TO SCALE

Date
January 31, 2003

Reference File No
ZAC-02-72 / OPA-01-19

Drawn By
MC

Bill No. 030

CITY OF HAMILTON
BY-LAW NO. 03- 030
To Amend By-law No. 01-215
Being a By-law To Regulate Traffic

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

AND WHEREAS it is necessary to amend By-law No. 01-215;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 5 (Stop Signs) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "F" thereof the following items, namely:

"Gatestone Drive	Eastbound and Westbound	Willowridge Way/ Edgecroft Crescent
Edgecroft Crescent	North	Gatestone Drive (East Intersection)
Eringate Court	North	Gatestone Drive
Eringate Drive	South	Gatestone Drive
Eringate Drive	West	Woodbank Street (South Intersection)
Gatestone Drive	West	Second Road West
Willowridge Way	North	Eringate Drive

Woodbank Street

North

Eringate Drive

Woodbank Street

South

Gatestone Drive"

2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and ENACTED this 12th day of February, 2003

MAYOR

CLERK

Bill No. 031

CITY OF HAMILTON
BY-LAW NO. 03-031
To Amend By-law No. 01-215
Being a By-law To Regulate Traffic

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

AND WHEREAS it is necessary to amend By-law No. 01-215;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 5 (Stop Signs) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "E" thereof the following items, namely:

"Latorre	Northbound	Sirente
Marisa	Southbound	Rockview
Rockview	Westbound	Sirente"

2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and ENACTED this 12th day of February, 2003

MAYOR

CLERK

Bill No. 032

CITY OF HAMILTON
BY-LAW NO. 03-032
To Amend By-law No. 01-215
Being a By-law To Regulate Traffic

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

AND WHEREAS it is necessary to amend By-law No. 01-215;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

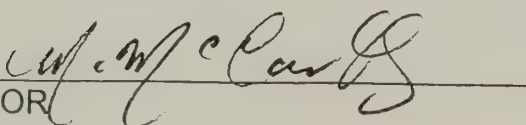
1. Schedule 5 (Stop Signs) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "D" thereof the following items, namely:

"Archer Way	Northbound	Grassyplain Dr.
Bellmoore Court	Eastbound	Idlewilde Dr.
Blackburn Lane	Northbound	Grassyplain Dr.
Blackburn Lane	Southbound	Bellstone Lane
Idlewilde Lane	Northbound	Grassyplain Dr."

2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and ENACTED this 12th day of February, 2003

MAYOR



CLERK



CA4 ON/ HBL A08
BA1
2003

Authority: Item 2, Committee of the Whole
Report 03-004 (FCS03014)
CM: February 12, 2003

BILL NO. 033

CITY OF HAMILTON

BY-LAW NO. 03-033

To Authorize the Temporary Borrowing of Monies to Meet Current
Expenditures Pending Receipt of Current Revenues.

WHEREAS the Council for the City of Hamilton deems it necessary to pass and enact a by-law to authorize the temporary borrowing of monies by the city to meet current budget expenditures for the year 2003 pending receipt of current revenues;

AND WHEREAS section 407(1) of the *Municipal Act*, 2001, provides as follows:

"A municipality may authorize temporary borrowing, until the taxes are collected and other revenues are received, of the amount council considers necessary to meet the current expenditures of the municipality for the year"

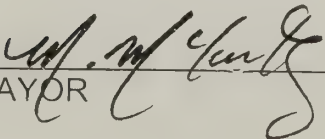
AND WHEREAS Section 407(2) of the said Act, imposes certain limitations on the amounts that may be borrowed at any one time:

NOW THEREFORE the Council for the City of Hamilton hereby enacts as follows:

1. (1) The City of Hamilton is hereby authorized to borrow from a Bank or person by way of Promissory Notes or Bankers Acceptances from time to time a sum or sums of monies not exceeding at any one time the amounts specified in subsection (2) to pay off temporary bank overdrafts for the current expenditures of the City for the year 2003, including amounts for sinking funds, principal and interest falling due within such fiscal year and the sums required by law to provide for the purposes of the City.
- (2) The amount of monies that may be borrowed at any one time for the purposes of subsection (1), together with the total of any similar borrowings that have not been repaid, shall not, except with the approval of the Ontario Municipal Board, exceed the prescribed percentages of the total of the estimated revenues of the City as set forth in the estimates adopted for the year, which percentages are set out in section 407 of the *Municipal Act*, 2001 as it may be amended from time to time.

2. (1) Until estimates of revenue of the City for the 2003 year are adopted, borrowing shall be limited to the estimated revenues of the City as set forth in estimates adopted for the next preceding year.
- (2) The total estimated revenues of the City, including the amounts levied for Education purposes, adopted for the year 2002 are One Billion, One Hundred and Sixty Million, One Hundred and Eighty-Eight Thousand dollars (\$1,160,188,000).
3. All sums borrowed pursuant to the authority of this by-law, together with any and all similar borrowings in the current year and in previous years that have not been repaid shall, together with interest thereon, be a charge upon the whole of the revenues of the City for the current year and for all preceding years, as and when such revenues are collected or received.
4. The Treasurer shall, and is hereby authorized and directed to, apply in payment of all sums borrowed pursuant to this by-law, together with interest thereon, all of the monies thereafter collected or received for the current and preceding years, either on account or realized in respect of taxes levied for the current year and preceding years or from any other sources which may lawfully be applied for such purpose.
5. That the Mayor and failing such person, the Deputy Mayor of the City Council and failing such person, the City Manager, together with the Treasurer or any one of the Temporary Acting Treasurers be authorized and directed to sign and execute the aforesaid Promissory Notes and Bankers Acceptances, hypothecations, agreements and such other documents, writings and papers which shall give effect to the foregoing.
6. This by-law shall come into force and effect on the 1st day of January 2003, and shall remain in force and effect until December 31, 2003.

PASSED and ENACTED this 12th day of February, 2003 A.D.



MAYOR



CITY CLERK

CA4 ON HBL AD8
B91
2003

Authority: Item 1, Committee of the Whole
Report 02-025
CM: June 26, 2002

Bill No. 034

THE CITY OF HAMILTON

BY-LAW NO. 03-034

TO REPEAL BY-LAW NO. 01-067
BEING A BY-LAW TO APPOINT WEED INSPECTORS FOR THE CITY OF HAMILTON

Pursuant to the provision of Section 8(1) of the Weed Control Act, R.S.O. 1990, Chapter W.5, the Council of a Municipality may appoint one or more Municipal Weed Inspectors;

WHEREAS, it is deemed expedient to appoint Municipal Weed Inspectors

NOW, THEREFORE, the Council of the City of Hamilton enacts as follows:

1. That the following individuals be appointed as Weed Inspectors for the City of Hamilton:

R. Duckworth	J. Moore	D. Moxam	B. Hughes
J. Holmes	S. Weaver	A. Dore	R. Gatto
D. Lester	S. Gilpin	K. Edwards	S. Bailey
P. Celebre	A. Carey	P. Christie	P. Booker
T. Propedo	B. Rowlinson	R. Arnold	R. Charlton
J. Downey	S. Kolaric	D. Lord	B. Olmstead
D. Rose	J. Swire	R. Baglole	F. Beauchamp
P. Brown	C. Corbin-Salmon	V. Consentino	J. Gordon
R. Kirouac	S. Lozicki	J. Turner	C. Vidic

2. That the Weed Inspectors shall carry out the provisions of the Weed Control Act and the regulations thereto;
3. And that the City's rate for weed cutting and program administration be charged at \$100 per hour, per person in 2002 and this rate is to be reviewed annually;
4. And further, the following By-law is hereby repealed: By-law 01-067 (Hamilton).

PASSED and enacted the 12th day of February, 2003

Mayor

Clerk

Authority: Item 3, Committee of the Whole
Report 03-004 (PD03028)
CM: February 12, 2003

Bill No. 035

CITY OF HAMILTON

BY-LAW NO. 03-035

To Amend Zoning By-law No. 3692-92 (Stoney Creek) Respecting Lands Located at 1052 South Service Road

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the City of Stoney Creek" and is the successor to the former Regional Municipality, namely, The Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 3692-92 (Stoney Creek) was enacted on the 8th day of December, 1992, and approved by the Ontario Municipal Board on the 31st day of May, 1994;

AND WHEREAS Zoning By-law No. 3692-92 (Stoney Creek) zoned the subject lands Prestige Industrial (Holding) "MT(H)" and General Industrial (Holding) "MG(H)" the extent and boundaries of which are shown on a plan annexed as Schedule "A", Map 3 to By-law No. 3692-92 and forming part thereof, which By-law came into force and effect on the day it was passed, in accordance with the Planning Act;

AND WHEREAS the owner has satisfied all of the conditions to remove the Holding (H) symbol;

AND WHEREAS this by-law is in conformity with the Official Plan of the City of Hamilton (formerly the City of Stoney Creek Official Plan), approved by the Minister under the Planning Act on May 12, 1986;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

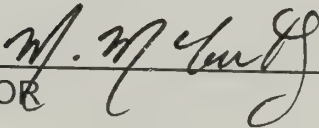
1. The "H" (Holding) symbol affixed by By-law No. 3692-92, passed on the 8th day of December 1992, to the Prestige Industrial (Holding) "MT(H)" Zone and General Industrial (Holding) "MG(H)" Zone of the subject lands, the extent and boundaries of which are identified as Blocks "1" and "2" on the attached

Schedule "A", is hereby removed, and the development of the lands may proceed in accordance with the Prestige Industrial "MT" Zone and General Industrial "MG" Zone provisions of Zoning By-law No. 3692-92.

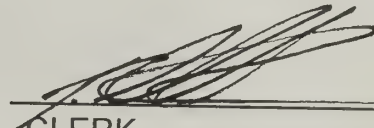
2. Schedule "A", Map 3 to By-law No. 3692-92 is amended by changing from the Prestige Industrial (Holding) "MT(H)" and General Industrial (Holding) "MG(H)" Zones to the Prestige Industrial "MT" and General Industrial "MG" Zones, the lands, the extent and boundaries of which are shown as Blocks "1" and "2" on a plan hereto annexed as Schedule "A" and forming part of this By-law.
3. In all other respects, By-law No. 3692-92 is hereby confirmed, unchanged.
4. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

PASSED and ENACTED this 12th day of February, 2003.

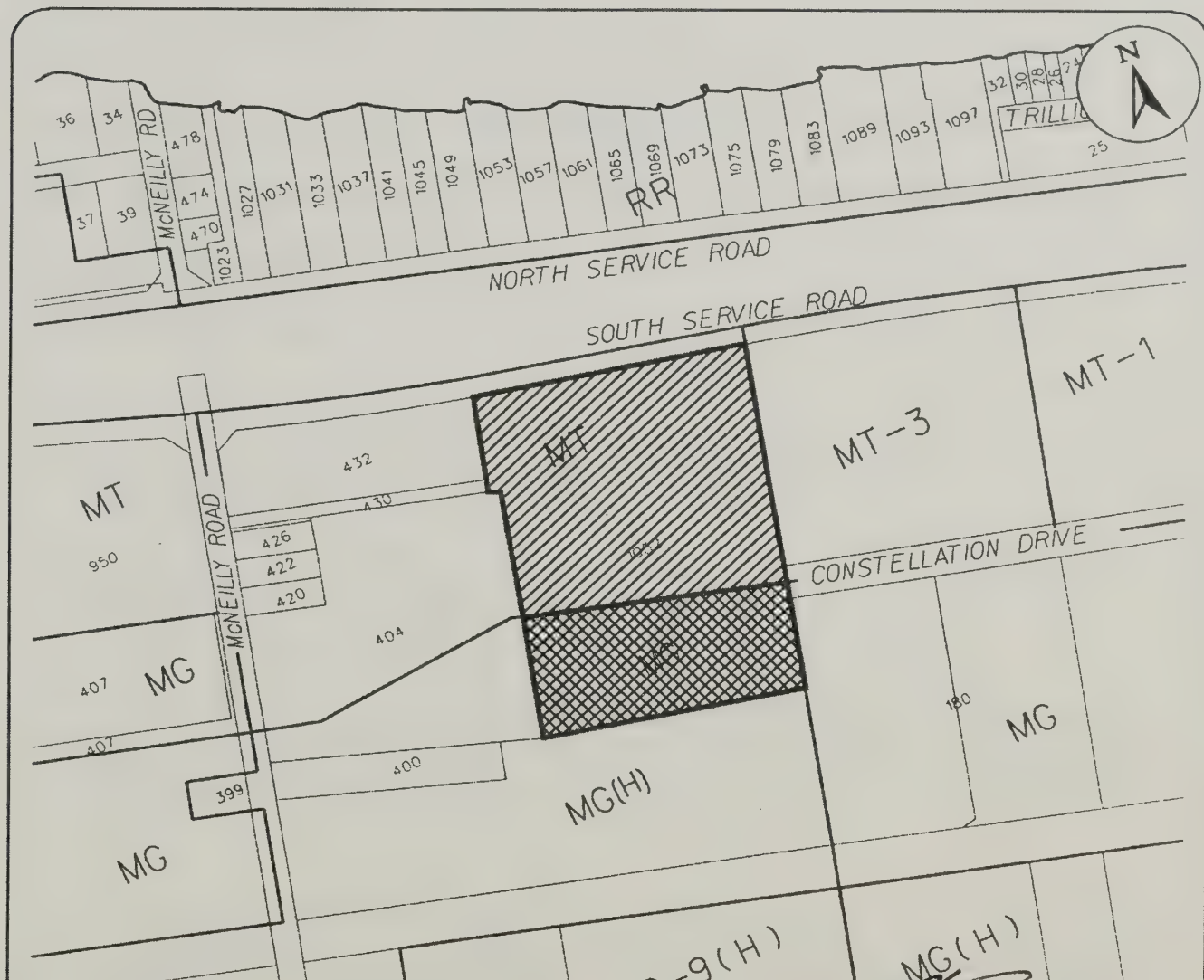
MAYOR



CLERK



Schedule "A" to Report PD03028



This is Schedule "A" to By-Law No. 03-035

Passed the 12th day of February, 2003

[Signature]
Clerk

[Signature]
Mayor

Schedule "A"

Map Forming Part of
By-Law No. 03-035
to Amend By-Law No. 3692-92



Planning and Development Department

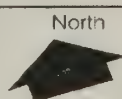
Legend



Block 1 - FROM MT(H) TO MT



Block 2 - FROM MG(H) TO MG



North

Scale
NOT TO SCALE

Date
January 16, 2003

Reference File No.
ZAR-02-87

Drawn By
MC

THE CITY OF HAMILTON

BY-LAW NO. 03-036

To Confirm the Proceedings of City Council at its meeting held on February 12, 2003

THE COUNCIL OF THE
CITY OF HAMILTON
ENACTS AS FOLLOWS:

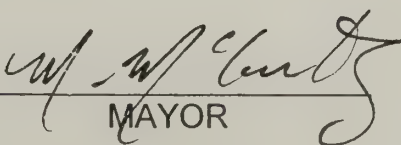
1. The Action of City Council at its meeting held on the 12th day of February, 2003 in respect of each recommendation contained in:

Report 03-004 of the Committee of the Whole,
Report 03-004 of the Hearings Sub-Committee,
Report 03-005 of the Hearings Sub-Committee,

considered by City of Hamilton Council at the said meeting, and in respect of each motion, resolution and other action passed and taken by the City Council at its said meeting, is, except where prior approval of the Ontario Municipal Board is required, hereby adopted, ratified and confirmed.

2. The Mayor of the City of Hamilton and the proper officials of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required, and except where otherwise provided, the Mayor and the City Clerk are hereby directed to execute all documents necessary in that behalf, and the City Clerk is hereby authorized and directed to affix the Corporate Seal of the Corporation to all such documents.

PASSED and ENACTED this 12th day of February, 2003


MAYOR


CITY CLERK

City of Hamilton

BY-LAW No. 03-039

Respecting:

Removal of Part Lot Control
Block 1, "Scenic South – Phase 3", 62M-956

WHEREAS the Planning Act, (R.S.O. 1990, Chapter P.13 sec. 50 (5) as amended) establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS the Planning Act, (sec.50 (7)) states, in part, as follows:

(7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.

(7.1) **Requirement for approval of by-law.** -- A by-law passed under subsection (7) does not take effect until it has been approved by the appropriate approval authority for the purpose of sections 51 and 51.1 in respect of the land covered by the by-law.

(7.2) **Exemption from approval.** -- An approval under subsection (7.1) is not required if the council that passes a by-law under subsection (7) is authorized to approve plans of subdivision under section 51.

(7.3) **Expiration of by-law.** -- A by-law passed under subsection (7) may provide that the by-law expires at the expiration of the time period specified in the by-law and the by-law expires at that time.

(7.4) **Extension of time period.** -- The council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.

(7.5) **Amendment or repeal.** -- The council of a local municipality may, without an approval under subsection (7.1), repeal or amend a by-law passed under subsection (7) to delete part of the land described in it and, when the requirements of subsection (28) have been complied with, subsection (5) applies to the land affected by the repeal or amendment.

AND WHEREAS the land which is the subject of this By-law was, as of January 1st, 2001 ~~placed~~ placed within the jurisdiction of the City of Hamilton, a new municipality incorporated as of January 1, 2001 by the City of Hamilton Act, 1999 (S.O. 1999, Chapter 14, Schedule C);

AND WHEREAS the City of Hamilton stands in the place of the former regional municipality, The Regional Municipality of Hamilton-Wentworth and in the place of the former area municipalities of the said Region;

AND WHEREAS as provided for in section 50(7.2) quoted above, this by-law is exempt from an approval in addition to this bylaw of the Council of the City of Hamilton because City Council is authorized to approve plans of subdivision under section 51 of the Planning Act.

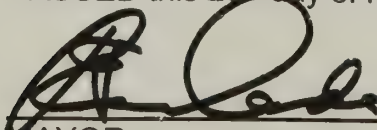
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Subsection 5 of Section 50 of the Planning Act, for the purpose of creating eleven (11) freehold townhouse lots and to establish maintenance easements as shown on the attached Appendix "A", shall not apply to the land within the portions of the registered plan of subdivision that are designated as follows:

Block 1, Plan 62M-956, in the City of Hamilton

2. This by-law shall be registered on title to the said designated land and shall come into force and effect on the date of such registration.
3. The time period, during which the By-law remains in force, shall expire on the following specified date: March 1, 2005.

PASSED this 26th day of February, 2003.


MAYOR


CITY CLERK

CA4 ON HBL A08
B91
2003

Authority:

Ontario Municipal Board Order No.
0710 dated May 7, 2001

Bill No. 040

CITY OF HAMILTON

BY-LAW NO. 03-040

To Adopt:

Official Plan Amendment No.181 to the Former City of Hamilton Official Plan;

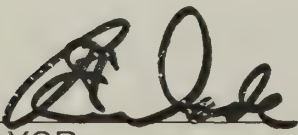
Respecting:

29-37 Rosedale Avenue

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Amendment No. 181 to the Official Plan of the former City of Hamilton Planning Area consisting of Schedule A, hereto annexed and forming part of this by-law, is hereby adopted.
2. It is hereby authorized and directed that such approval of the Official Plan Amendment referred to in section 1 above, as may be requisite, be obtained and for the doing of all things for the purpose thereof.

As per Ontario Municipal Board Order No. 0710 dated May 7, 2001,



MAYOR



CLERK

Amendment No. 181
to the
former City of Hamilton Official Plan

The following text, together with Schedule "A" – Land Use Concept, attached hereto, constitutes Official Plan Amendment No. 181.

Purpose:

The purpose of this Amendment is to redesignate the subject lands from "Residential" to "Commercial", to permit the extension of the existing plaza on King Street East.

Location:

The lands affected by this Amendment are municipally known as Nos. 29, 31, 33 and 37 Rosedale Avenue in the Rosedale neighbourhood.

Basis:

The basis for permitting the extension plaza is as that:

- a) The proposal would result in improvements to the visual amenity and general attractiveness of an Extended Commercial area by redeveloping an older commercial plaza (built approximately 20 years ago). The application is for a comprehensive upgrade, incorporating a number of improvements to the existing plaza and site.
- b) The proposal would result in improvements to the landscape buffer between the loading and access areas at the rear of the existing building and adjacent residential uses to the south.
- c) The proposal would incorporate a heavily landscaped buffer to the west and south of the proposed building to mitigate the impacts of the expansion on adjacent residential land uses.
- d) The proposal would result in a squaring off of the existing commercial site.

Actual Changes:

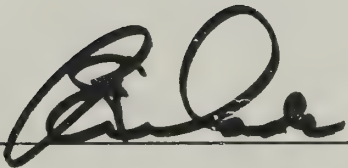
Schedule "A" – Land Use Concept – be revised by redesignating the subject lands, lands municipally known as Nos. 29, 31, 33 and 37 Rosedale Avenue, from "Residential" to "Commercial", as shown on the attached Schedule "A" of this Amendment;

Implementation:

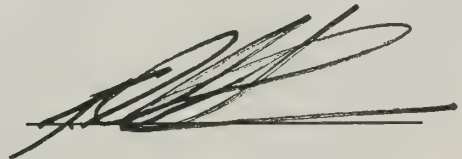
A Zoning By-law amendment will give effect to the intended use on the subject lands. (OMB Decision (0710), Date: May 7, 2001)

This is Schedule "1" to By-law No. 03-040

The City of Hamilton

A handwritten signature in black ink, appearing to be "B. L.", written over a horizontal line.

Mayor

A handwritten signature in black ink, appearing to be "J. P.", written over a horizontal line.

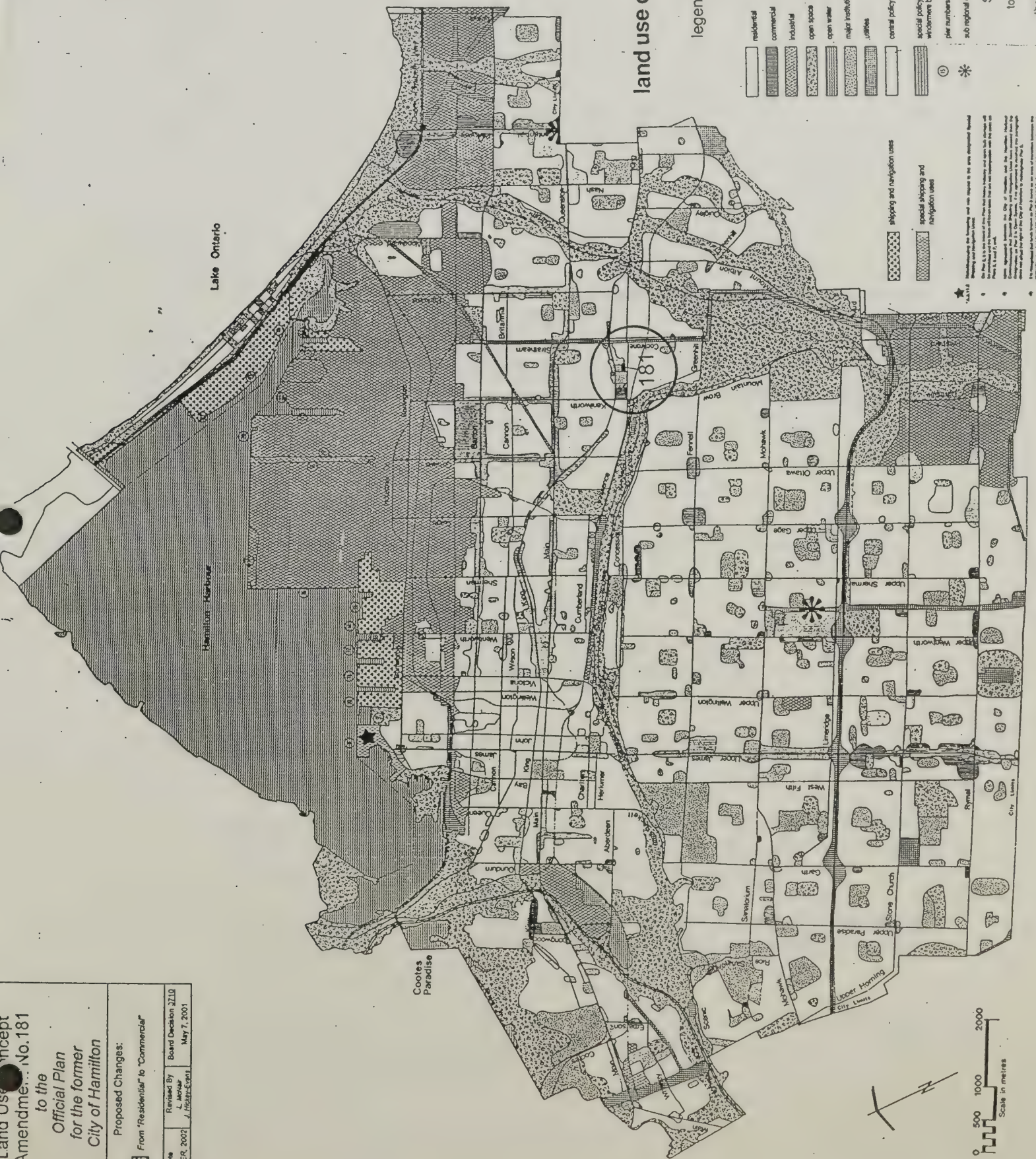
City Clerk

Land Use Concept
Amendment No. 181
to the
Official Plan
for the former
City of Hamilton

Proposed Changes:

From "Residential" to "Commercial"

Date	Revised By	Board Decision
DECEMBER 2002	L. Mawer	2110
	J. Hickey-Emm	May 7, 2001



CA4 ON HBL A08
B91
2003

Authority: Item 4, Hearings Sub-Committee
Report: 03-007 (PD03030)
CM: February 26, 2003

Bill No. 041

CITY OF HAMILTON

BY-LAW NO. 03-041

To Adopt:

Official Plan Amendment No.11 to the Official Plan of the former Regional Municipality of Hamilton-Wentworth;
Official Plan Amendment No. 90 to the Official Plan of the former Town of Flamborough;
Official Plan Amendment No. 182 to the Official Plan of the former City of Hamilton; and,
Official Plan Amendment No. 96 to the Official Plan of the former City of Stoney Creek.

To Repeal:

Official Plan Amendment No. 3 to the Official Plan of the former Town of Dundas

Respecting:

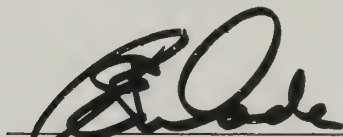
**Community Improvement Policies, and,
Public Participation and Notification Policies**

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Amendment No. 11 to the Official Plan of the former Regional Municipality of Hamilton-Wentworth Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.
2. Amendment No. 90 to the Official Plan of the former Town of Flamborough Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.
3. Amendment No. 182 to the Official Plan of the former City of Hamilton Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.

4. Amendment No. 96 to the Official Plan of the former City of Stoney Creek Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.
5. Amendment No. 3 to the Official Plan of the former Town of Dundas Planning Area is hereby repealed.
6. It is hereby authorized and directed that such approval of the Official Plan Amendments referred to in section 1 through 4 above, as may be requisite, be obtained and for the doing of all things for the purpose thereof.

~~PASSED~~ this 26th day of February 2003.



MAYOR



CLERK

Amendments

to the

Official Plans of the former Regional Municipality of Hamilton-Wentworth, former Town of Flamborough, former City of Hamilton and former City of Stoney Creek

The following text constitutes:

1. Official Plan Amendment No.11 to the Official Plan of the Former Regional Municipality of Hamilton-Wentworth;
2. Official Plan Amendment No. 90 to the Official Plan of the former Town of Flamborough;
3. Official Plan Amendment No. 182 to the Official Plan of the Former City of Hamilton; and,
4. Official Plan Amendment No. 96 to the Official Plan of the Former City of Stoney Creek.

Purpose:

The purposes of these Amendments are to establish Community Improvement policies and public participation and notification policies in the Regional Official Plan. Existing Community Improvement policies with the Official Plans for the former area municipalities of Dundas, Flamborough, Hamilton and Stoney Creek are to be deleted.

Basis:

The basis for the text amendments are as follows:

- 1) the Planning Act allows municipalities to undertake community improvement initiatives where Community Improvement policies are in place;
- 2) community improvement plans are the vehicle by which government funding programs can be established for specific areas;
- 3) community improvement Policies are found in the Official Plans for the former area municipalities of Flamborough, Hamilton, Stoney Creek but not in Ancaster or Glanbrook;

- 4) consistent and flexible policies and community improvement project area selection criteria for the entire municipality will assist in addressing redevelopment issues in the urban area;
- 5) the Planning Act allows municipalities to establish alternative notice provisions;
- 6) the Official Plans for all former area municipality have harmonized participation and notification procedures but not the Regional Official Plan;
- 7) consistency of timelines and procedures for notification for all Official Plans in effect within the municipality is desirable; and,
- 8) it is expedient and efficient to include all the amendments to the Regional, Flamborough, Hamilton and Stoney Creek Official Plans in one overall amendment.

Actual Changes:

- 1(a) Add the following new policy to **PART D - IMPLEMENTATION, Section 6 – SECONDARY/NEIGHBORHOOD PLANS** in the Official Plan of the former Regional Municipality of Hamilton-Wentworth:

"6A COMMUNITY IMPROVEMENT

It is the intent of Council through community improvement to promote and maintain a high quality living and working environment throughout the City. Community Improvement will be accomplished through (1) the upgrading and ongoing maintenance of communities or areas characterized by obsolete buildings, and/or conflicting land uses and or/inadequate physical infrastructure and community services, and, (2) the establishment of policies and programs to address identified economic, land development and housing supply issues or needs throughout the Urban Area.

Pursuant to the Planning Act, the following Community Improvement policies may be applied throughout the Urban Area defined in this Plan.

- 6A.1 Community improvement will be carried out through the designation, by Council, of Community Improvement Project Areas and through the preparation and implementation of Community Improvement Plans pursuant to the Planning Act.

It is the intent of Council that the entire Urban Area or any part of the Urban Area as defined in this Plan, and as subsequently amended, may by by-law be designated as a Community Improvement Project Area.

6A.2 When designating Community Improvement Project Areas, one or more of the following characteristics may be present:

- a) building stock or property in need of rehabilitation;
- b) buildings and structures of heritage or architectural significance;
- c) encroachment of incompatible land uses or activities;
- d) deteriorated or insufficient physical infrastructure such as, but not limited to, sanitary and storm sewers and water mains, public transit, roads/streets, curbs, sidewalks, street lighting and utilities;
- e) deteriorated or insufficient community services such as, but not limited to public indoor/outdoor recreational facilities, public open space and public social facilities;
- f) inadequate mix of housing types;
- g) known or perceived environmental contamination;
- h) deteriorated or insufficient parking facilities;
- i) poor overall visual amenity of the area, including, but not limited to streetscapes and urban design;
- j) existing Business Improvement Areas or potential for inclusion in a Business Improvement Area designation;
- k) inappropriate road access and traffic circulation;
- l) shortage of land to accommodate building expansion and/or parking and loading facilities;
- m) other barriers to the improvement or redevelopment of under utilized land or buildings; and,
- n) any other environmental or community economic development reasons for designation.

6A.3 Community Improvement Plans will provide direction regarding the application of one or more of the following:

- a) allocation of public funds such as grants, loans or other financial instruments for the physical rehabilitation, redevelopment or improvement of land and/buildings;

- b) municipal acquisition of land or buildings and subsequent clearance, rehabilitation, redevelopment or resale of these properties or other preparation of land or buildings for community improvement;
- c) encouragement of infill and rehabilitation where feasible;
- d) promotion of historic preservation through the appropriate local, Provincial and Federal legislation;
- e) promotion of the viability of Commercial areas through the establishment and support of Business Improvement Areas; and,
- f) other municipal actions, programs or investments for the purpose of strengthening and enhancing neighbourhood stability, stimulating production of a variety of housing types, facilitating local economic growth, improving social or environmental conditions, or promoting cultural development.

- 6A.4 In the preparation of a Community Improvement Plan and any subsequent amendments, Council will solicit the input of public bodies and agencies, affected residents, property owners, and other interested parties in keeping with the policies for notification and public participation of this Plan.
- 6A.5 All developments participating in programs and initiatives contained within Community Improvement Plans shall conform with the policies contained in this Plan and the local Plans in effect for all former area municipalities, and shall comply with all municipal codes and regulations of the City.
- 6A.6 Council will determine the priorities and sequences in which designated Community Improvement Project Areas will have individual Community Improvement Plans prepared.
- 6A.7 Any Community Improvement Plan will endeavour to co-ordinate individual initiatives to improve properties with municipal actions to upgrade physical infrastructure and community services, and promote new types of housing.
- 6A.8 Council will be satisfied that community improvements will be within the financial capability of the City."

- 1(b) Delete **Part D – IMPLEMENTATION, Section 2 – CITIZEN PARTICIPATION** in its entirety and replace it with the following new policy:

"2. PUBLIC PARTICIPATION AND NOTIFICATION

In considering the merits of any proposed Amendment to this Plan as a result of a specific application or special study, and in the preparation of a Community Improvement Plan and Amendments, Council will notify, inform, and seek the input of all interested citizens. Accordingly, Council will be guided by the following notification and public participation provisions:

- 2.1 To inform and secure input from the public on the particulars of a proposal, Council will hold one or more public meeting(s). Further, depending on the nature and extent of a proposal, Council may also choose to:

- a) convene open house(s);
- b) have public displays;
- c) hold workshops or seminars; or,
- d) use other means considered appropriate to inform and secure public input.

In all cases, the appropriate staff will be available to assist and receive comments from the public during normal business hours on any matter where public notice has been given.

- 2.2 Notification of public meeting(s) for the adoption of the Official Plan and Amendments and Community Improvement Plans will be given to the public at least 17 days prior to the date of the meeting(s) and the notice will be given in accordance with the applicable requirements of the Planning Act regulations.
- 2.3 Council decisions will take place a minimum of 17 days from the time the first notification is given, for Planning Act applications/procedures identified in Policy D-2.2.
- 2.4 Where a notice of public meeting or written notice of an application is required for Planning Act application, other than those identified in Policy D-2.2, notice will be given in accordance with the applicable requirements of the Planning Act."

- 2. Delete Section E.5 and Schedule "I" in their entirety in the Official Plan of the former Town of Flamborough.
- 3. Delete Section D-10 and Schedule "H" in their entirety in the Official Plan of the

former City of Hamilton.

4. Delete Subsection E.3 and Schedule "F" in their entirety in the Official Plan of the former City of Stoney Creek.

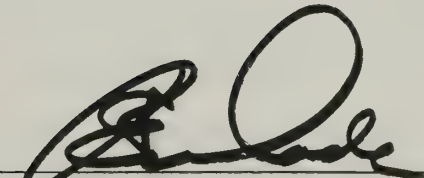
Implementation:

The provisions of Section D – Implementation, of the Official Plan for the former Regional Municipality of Hamilton-Wentworth, Section D – Implementation, of the Official Plan for the former City of Hamilton, Section F in both the Official Plan for the former Town of Flamborough and the Official Plan for the former City of Stoney Creek will give effect to the amendments.

A Community Improvement Plan by-law will give effect to the Official Plan policies on Community Improvement.

This is Schedule "1" to By-law No. 03-041, passed on the 26th day of February, 2003.

The City of Hamilton



Mayor

City Clerk

CA4 ON HBL A08
B91
2003

Authority: Item 6 Hearings Sub-Committee
Report 03-007 (PD03031)
CM: February 26, 2003

Bill No. 042

CITY OF HAMILTON

BY-LAW NO. 03-042

**To Amend Zoning By-law No. 6593 to amend By-law No. 02-361
Respecting Lands Located at 162 King William Street**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the City of Hamilton" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

AND WHEREAS the City of Hamilton Act, 1999, provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of the City of Hamilton, passed Zoning By-law No. 02-361 (Hamilton) on the 11th day of December, 2002 for a modification to the established "CR-3" (Commercial – Residential) District, applicable to the subject lands, shown on Schedule "A" to Zoning By-law No. 02-361;

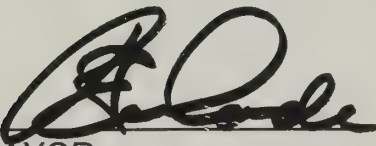
AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

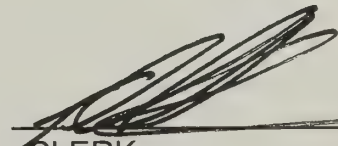
1. Section 3 of By-law No. 02-361 (Hamilton) is hereby repealed in its entirety and the following substituted for:

- "3. By-law No. 6593 (Hamilton) is amended by adding this by-law to Section 19B as Schedule S-473b";
2. That Section 4 of By-law No. 02-361 (Hamilton) is hereby repealed in its entirety and the following substituted for:
- "4. Sheet No. E-4 of the District Maps is amended by marking the lands referred in Section 1 of this by-law as S-473b";
3. By-law No. 6593 (Hamilton) is amended by adding this by-law to section 19B as Schedule S-473b.
4. Sheet No. E-4 of the District Maps is amended by marking the subject lands S-473b.
5. In all other respects, By-law No. 02-361 is hereby confirmed unchanged.
6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

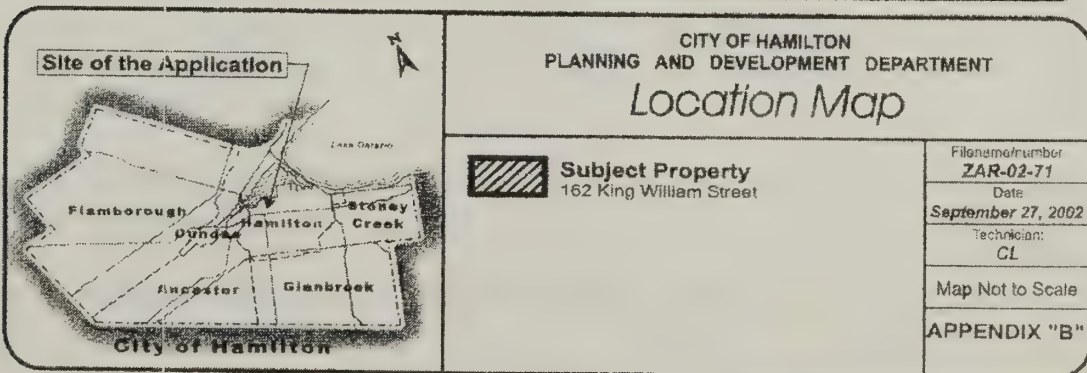
PASSED and ENACTED this 26th day of February, 2003.



MAYOR



CLERK



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B91
2003

Authority: Item 4, Committee of the Whole
Report 03-006 (TOE03020)
CM: February 26, 2003

Bill No. 043

**CITY OF HAMILTON
BY-LAW NO. 03-043
To Amend By-law No. 01-215
Being a By-law To Regulate Traffic**

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

AND WHEREAS it is necessary to amend By-law No. 01-215;

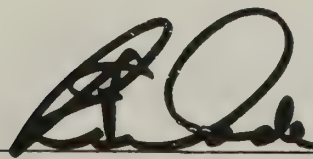
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 2 (Speed Limits) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "F" thereof the following items, namely:

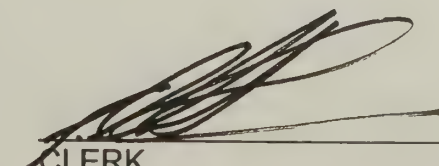
"Dupont	Dewitt	Hewitson	40
Hewitson	Barton	Dupont	40"

2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and ENACTED this 26th day of February, 2003



MAYOR



CLERK

CA4 ON HBL A08
B91
2003

Authority: Item 3, Committee of the Whole
Report 03-006 (TOE03019)
CM: February 26, 2003

Bill No. 044

**CITY OF HAMILTON
BY-LAW NO. 03-044
To Amend By-law No. 01-215
Being a By-law To Regulate Traffic**

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

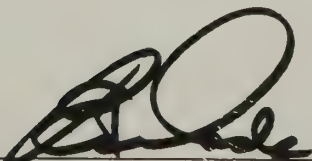
AND WHEREAS it is necessary to amend By-law No. 01-215;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

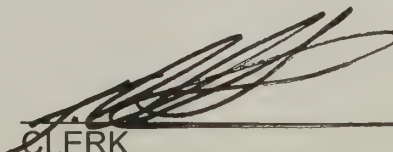
1. Schedule 5 (Stop Signs) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "B" thereof the following item, namely:

"Sullivans Lane	Northbound	Ann Street"
-----------------	------------	-------------
2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and ENACTED this 26th day of February, 2003



MAYOR



CLERK

CA4 ON HBL A08
B91 .
2003

Authority: Item 5, Committee of the Whole
Report 03-006 (TOE03021)
CM: February 26, 2003

Bill No. 045

**CITY OF HAMILTON
BY-LAW NO. 03-045
To Amend By-law No. 01-215
Being a By-law To Regulate Traffic**

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

AND WHEREAS it is necessary to amend By-law No. 01-215;

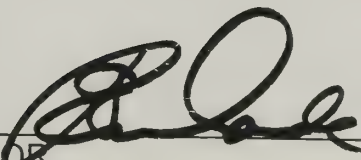
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 5 (Stop Signs) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "B" thereof the following items, namely:

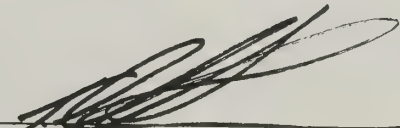
"Brydale Court	Eastbound	Sundial Crescent
Gwyn Court	Eastbound	Sundial Crescent
Sundial Crescent	Northbound	Livingstone Drive (East Intersection)
Woodlawn Court	Eastbound	Livingstone Drive"

2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and ENACTED this 26th day of February, 2003



MAYOR



CLERK

CA4 ON HBL A08
B91
2003

Authority: Item 7, Committee of the Whole
Report 02-037 (PD02221)
CM: November 13, 2002

Bill No. 046

City of Hamilton

BY-LAW NO. 03-046

To Designate:

**LAND LOCATED AT MUNICIPAL NO. 537 CARLUKE ROAD WEST, FORMER
TOWN OF ANCASTER, CITY OF HAMILTON**

As Property of:

HISTORIC AND ARCHITECTURAL VALUE AND INTEREST

WHEREAS the Council of the City of Hamilton did give notice of its intention to designate the property mentioned in section 1 of this by-law in accordance with subsection 29(3) of the Ontario Heritage Act, R.S.O. 1990, Chapter 0.18;

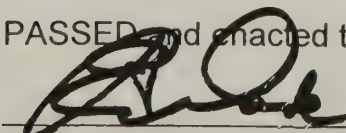
AND WHEREAS no notice of objection was served on the City Clerk as required by subsection 29(5) of the said Act;

AND WHEREAS it is desired to designate the property mentioned in section 1 of this by-law in accordance with clause 29(6)(a) of the said Act.

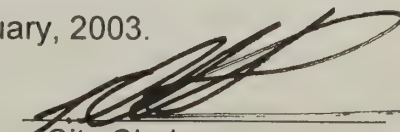
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. The property located at Municipal No. 537 Carluke Road West, Hamilton, Ontario and more particularly described in Schedule "A" hereto annexed and forming part of this by-law, is hereby designated as property of historic and architectural value and interest.
2. The Corporate Counsel is hereby authorized and directed to cause a copy of this by-law, together with reasons for the designation set out in Schedule "B" hereto annexed and forming part of this by-law, to be registered against the property affected in the proper registry office.
3. The City Clerk is hereby authorized and directed,
 - (i) to cause a copy of this by-law, together with reasons for the designation, to be served on The Ontario Heritage Foundation by personal service or by registered mail;
 - (ii) to publish a notice of this by-law once in a newspaper having general circulation in the City of Hamilton.

PASSED and enacted this 26th day of February, 2003.



Mayor



City Clerk

Schedule "B"
To By-law No. 03-046

Calder House
537 Carluke Road West
Former Town of Ancaster

REASONS FOR DESIGNATION

Historic Value

The historic value of this house is attributed to its early association with agricultural settlement in the Scotch Block of Ancaster and specifically the three generations of the Calder family (James A. Calder, John Bernard Calder and Adam Butter Calder) who lived and farmed on this Ancaster property for approximately 130 years, from 1842 to 1969. Members of the Calder family also played prominent roles in local community life, serving in Township and County Councils and as Carluke postmasters.

Architectural Value

The *Calder House* is of architectural value as a rare surviving example of pre-Confederation, rural, stone construction in the Ontario Gothic Revival style.

Constructed in 1866 of cut, rock-faced stone with quoins, the *Calder House* is an example of rural Ontario Gothic Revival architecture. The Ontario Gothic Revival in domestic residential building is typified by a centre-gable, with the principal building mass often possessing a 'tail' to the rear with its own central gable and a second porch. The Calder House is one and one-half stories and has an L-shape, centre-hall plan with a side gable roof (see right). Brick chimneys are located at the east, west and north gable ends. The Calder House possesses other character-defining features of the Ontario Gothic Revival such as decorative vergeboard.

The Reasons for Designation apply to all elevations and the roof including all facades, entranceways, porches, windows and chimneys, together with construction materials of stone, brick, wood and glazing, and building techniques as follows:

Front (South) Façade

The front façade comprises a symmetrical arrangement of three bays with an entranceway located in a slightly projecting central bay. The central front gable contains a round-headed window with 2/2 sashes, tooled stone sill, voussoirs, keystone and decorative vergeboard. There are rectangular windows with 2/2 pane sashes on either side of the door. The doorway has sidelights, tri-part transom and a tooled stone lintel. The stonework on the south elevation is regularly coursed.

Side (East) Elevation

The east façade comprises the principal building mass and the tail. The coursing of the stone is slightly irregular on this elevation. Two rectangular windows on the lower storey and two on the upper storey distinguish the east façade of the principal building. Most have 2/2 pane sashes and stone sills and lintels. The tail elevation features a rounded-headed window in the centre gable with 2/2 sashes, tooled stone, sills and voussoirs. The gable has a decorative vergeboard. The first floor contains an entranceway flanked to the south by a single sash window with transom. A prominent feature on this façade is a verandah with a pent roof supported by a simple square post. A one-storey

enclosed room is incorporated into the verandah and has one rectangular 1/1 sash light and a square single pane light. The basement windows have stone voussoirs with keystones.

Side (West) Elevation

The west façade comprises the principal building mass and the tail. Stonework is irregularly coursed on this elevation. Two rectangular windows on the lower storey and two on the upper storey distinguish the west façade of the principal building. Most have 2/2 pane sashes and stone sills and lintels. The tail elevation features a rounded-headed window in the centre gable with 2/2 sashes, tooled stone, sills and voussoirs. The gable has a decorative vergeboard. The lower floor contains two rectangular windows: a narrow opening with 2/2 pane sashes and a window comprising 6/1 pane sashes. The basement windows on this elevation have stone voussoirs with keystones.

Rear (North) Elevation

The stonework in the rear elevation of the tail is irregularly coursed. On the lower floor this elevation features a deeply recessed entrance and one segmentally arched window with stone voussoirs, stone sill and 6/6 pane sashes. Three smaller windows are located above with a small pointed arch vent located immediately below the gable vertex.

CA4 ON HBL A08
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2003

Authority: Item 16, Committee of the Whole
Report 03-001 (PD03015)
CM: January 8, 2003

Bill No. 047

City of Hamilton

BY-LAW NO. 03-047

To Designate:

**LAND LOCATED AT MUNICIPAL NO. 335 LIMA COURT, FORMER TOWN OF
ANCASTER, CITY OF HAMILTON**

As Property of:

HISTORIC AND ARCHITECTURAL VALUE AND INTEREST

WHEREAS the Council of the City of Hamilton did give notice of its intention to designate the property mentioned in section 1 of this by-law in accordance with subsection 29(3) of the Ontario Heritage Act, R.S.O. 1990, Chapter 0.18;

AND WHEREAS no notice of objection was served on the City Clerk as required by subsection 29(5) of the said Act;

AND WHEREAS it is desired to designate the property mentioned in section 1 of this by-law in accordance with clause 29(6)(a) of the said Act.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

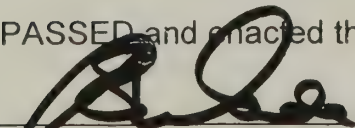
1. The property located at Municipal No. 335 Lima Court, Hamilton, Ontario and more particularly described in Schedule "A" hereto annexed and forming part of this by-law, is hereby designated as property of historic and architectural value and interest.

2. The Corporate Counsel is hereby authorized and directed to cause a copy of this by-law, together with reasons for the designation set out in Schedule "B" hereto annexed and forming part of this by-law, to be registered against the property affected in the proper registry office.

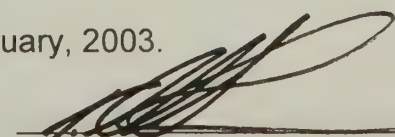
3. The City Clerk is hereby authorized and directed,

- (i) to cause a copy of this by-law, together with reasons for the designation, to be served on The Ontario Heritage Foundation by personal service or by registered mail;
- (ii) to publish a notice of this by-law once in a newspaper having general circulation in the City of Hamilton.

PASSED and enacted this 26th day of February, 2003.



Mayor



City Clerk

Schedule "B"
To By-law No. 03-047

Harmony Hall
335 Lima Court
Former Town of Ancaster

REASONS FOR DESIGNATION

Historic Value

The historic value of this house is attributed to its association with local landholder and military figure, Israel Dawdy (1769-1851). Dawdy constructed *Harmony Hall* between 1816 and 1819, living there with his wife Anna until his death in 1851. *Harmony Hall* is also a rare surviving example of early nineteenth century brick construction.

Architectural Value

Harmony Hall is of architectural value as a surviving example of pre-Confederation, rural, brick construction. It is noteworthy for its architectural evolution; originally having been designed in the Georgian style and subsequently changed to Gothic Revival during the mid to late nineteenth century.

The Reasons for Designation apply to all elevations and the roof including all entranceways, porches, windows and chimneys, together with construction materials of brick, wood and glazing, and building techniques as follows:

Front (South) Elevation

The front elevation has a central doorway with the original portico having a semi-elliptical shaped roof supported by Doric columns. The door has upper sidelights and a semi-elliptical transom with decorative muntins. A central gable with decorative vergeboard contains a round-headed louvered attic vent. There are nine rectangular windows, four on the first floor and five on the second. All of the windows contain the original 6/6 pane sashes, stone sills, brick voussoirs and the original wood shutters.

Side (West) Elevation

The west elevation comprises of the side gable and a rear addition. Both the main house and the addition are two bays wide. The gable end contains a half-circle window, an interior brick chimney and is decorated with wood vergeboard. There are three rectangular windows with 6/6 pane sashes, vertical brick soldier coursing, stone sills and wood shutters. A window on the first floor at the southwest corner was converted into a door. The west elevation of the rear addition consists of two second storey windows with 6/6 pane sashes, brick soldier coursing, stone sills and wood shutters. A large enclosed porch with a shed roof is attached to the main floor and has 4/4 sash windows and a wood door with window. A board and batten clad garage with a front gable roof is attached to the north side of the enclosed porch. It is estimated that the rear addition and frame garage were constructed between 1882-1902.

Side (East) Elevation

The east elevation is two bays wide and consists of the side gable with a half circle window in the gable end. There are two 6/6 sash windows on the second storey, one

6/6 sash window on the main floor and a doorway at the southeast corner. This elevation is obscured by heavy mature vegetation.

Rear (North) Elevation

The rear elevation comprises the façade of the main house and the projecting tail. There is one 6/6 double hung window on the second storey of the main house elevation. The projecting rear addition comprises a blind second storey. A frame board and batten garage, a later addition, has a horizontal window with two 8-pane lights. A door is located at the east end with a small square 4-pane window to the right of it.

CITY OF HAMILTON

BY-LAW NO. 03-048

**To Amend By-law No. 01-218, as amended,
Being a By-law To Regulate On-Street Parking**

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-218 to regulate on-street parking;

AND WHEREAS it is necessary to amend By-law No. 01-218, as amended;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 5 (Parking Meters) of By-law No. 01-218, as amended, is hereby further amended by adding to Subsection 2(A) of Section "E" thereof (2 hours at 50¢ per hour) the following items, namely:

"King	South	London to Edgemont
King	South	Park Row to Province
King	North	Holton to Fairleigh
King	South	West Avenue to Victoria
King	North	John to Mary
King	Both	James to Bay
King	North	Wellington to Victoria"

and by adding to Subsection 2(b) of Section "E" thereof (2 hours at \$1.00 per hour) the following item, namely:

"King North Ray to Pearl"

and by adding to Subsection 3(a) of Section "E" thereof (1 hour at 50¢ per hour) the following items, namely:

"King North Queen to Ray

King North Ray to Locke

King North Lottridge to Barnesdale

King North Victoria to West Ave.

King North Victoria to Emerald

King North Sherman to Holton

King North Fairleigh to Steven

King North Sherman to Steven

King North Grosvenor to Ottawa

King North Edgemont to Graham

King North Rosedale to Rogers

King North Cochrane to Walter

King North Emerald to Tisdale

King South Grant to Victoria

King South Grant to Proctor Blvd.

King South Barnesdale to Garfield

King South Edgemont to Park Row

King South from 46m west of Main to 49.1m westerly

King Both Wellington to Mary

King North Barnesdale to Sherman

King	South	Garfield to Sherman
King	South	Sherman to Proctor
King	South	Main to 78.3m westerly"

and by adding to Subsection 3(b) of Section "E" thereof (1 hour at \$1.00 per hour) the following item, namely:

"King North Bay to Queen"

and by deleting from Subsection 2(a) of Section "G" thereof (2 hours at 50¢ per hour) the following items, namely:

"King	South	London to Edgemont
King	South	Park Row to Province
King	North	Holton to Fairleigh
King	South	West Avenue to Victoria
King	North	John to Mary
King	Both	James to Bay
King	North	Wellington to Victoria"

and by deleting from Subsection 2(b) of Section "G" thereof (2 hours at \$1.00 per hour) the following item, namely:

"King North Ray to Pearl"

and by deleting from Subsection 3(a) of Section "G" thereof (1 hour at 50¢ per hour) the following items, namely:

"King St. (Reg. Rd. #308)	Both	Market St. to Main St.
King St. (Reg. Rd. #341)	Both	Main St. to York Rd.
King	North	Queen to Ray
King	North	Ray to Locke
King	North	Lottridge to Barnesdale

King	North	Grosvenor to Ottawa
King	North	Victoria to West Ave.
King	North	Victoria to Emerald
King	North	Sherman to Holton
King	North	Fairleigh to Steven
King	North	Sherman to Steven
King	North	Grosvenor to Ottawa
King	North	Edgemount to Graham
King	North	Cochrane to Walter
King	North	Emerald to Tisdale
King	South	Grant to Victoria
King	South	Grant to Proctor Blvd.
King	South	Barnesdale to Garfield
King	South	Edgemount to Park Row
King	South	Commencing 151 feet west of Main to a point 161 feet westerly therefrom
King	South	Wellington to Mary
King	North	Wellington to Mary
King East	North	Barnesdale to Sherman
King East	South	Garfield to Sherman
King East	South	Sherman to Proctor
King East	South	Main to 257 ft. westerly"

and by deleting from Subsection 3(b) of Section "G" thereof (1 hour at \$1.00 per hour) the following item, namely:

"King North Bay to Queen"

King	North	Loading Bay, 95 feet east of John to 30 feet easterly	Anytime
King	North	Rosslyn to Kensington	Anytime
King	North	Fairleigh to a point 52 feet westerly	Anytime
King	North	Dundurn to Strathcona	Anytime
King	North	Gage to Melrose	Anytime
King	North	East Bend to Dunsmure	Anytime
King	North	from 62.2m east of Barnesdale to Lottridge	Anytime
King	North	from 51 feet west of Wentworth to 23 feet westerly	Anytime
King	North	Locke to Strathcona	Anytime
King	North	Balmoral to Grosvenor	Anytime
King	North	Ottawa to Edgemont	Anytime
King	North	Graham to Rosedale	Anytime
King	North	Rodgers to Cochrane	Anytime
King	North	from 110 feet east of Emerald to 30 feet easterly	Anytime
King	North	from 116 feet east of Ferguson to 20 feet easterly	Anytime
King	South	from 130 feet west of Main to 21 feet westerly	Anytime
King	South	from 25 ft. west of the west curb line of Belmont to 20 ft. westerly	Anytime
King	South	Delta to Rosslyn	Anytime
King	South	Grant to a point 50 ft. easterly	Anytime
King	South	Province to a point 95 feet westerly	Anytime

King	South	from 53 feet west of Wentworth to 28 feet westerly	Anytime
King	South	Bay to Dundurn	Anytime
King	South	74 ft. west of Hughson to 44 ft. westerly	Anytime
King	South	West Avenue to Wellington	Anytime
King	South	135 ft. east of Belview to 160' east	Anytime
King	South	212 feet west of Main to 28 feet westerly	Anytime
King	South	55 feet east of Glendale to Gage	Anytime
King	South	Melrose to Spadina	Anytime
King	South	Rosslyn to Edgemont	Anytime
King	South	Province to Walter	Anytime
King (South Branch)	South	from 22.2m east of James to 14.6m easterly	3:00 a.m. – 7:00 a.m.
King (South Branch)	South	from 36.8m east of James to 46m easterly	Anytime
King (South Branch)	South	from 82.8m east of James to Hughson	3:00 a.m. – 7:00 a.m.
King (South Branch)	South	Hughson to 25.6m easterly	3:00 a.m. – 7:00 a.m.
King (South Branch)	South	from 25.6m east of Hughson to 16.2m easterly	Anytime
King (South Branch)	South	from 68.3m east of Hughson to 16.2m easterly	3:00 a.m. – 7:00 a.m.
King (South Branch)	South	from 84.5m east of Hughson to John	Anytime
King	South	90 ft. east of Catharine to 70 ft. easterly	Anytime
King	North	100 ft. east of John to 21 ft. easterly	Anytime
King	South	153 ft. east of Ferguson to 26 ft. easterly	Anytime

King	North	20 ft. west of Rosewood to 48 ft. westerly	Anytime
King	North	87 ft. east of Ray to 57 ft. easterly	Anytime
King	North	from 39m west of Hess to 10.7m westerly	7:00 a.m. to 4:00 p.m.
King	North	from 13.8m west of Hess to 5.7m westerly	Anytime
King	North	from 23m east of Hess to 9.8m easterly	Anytime
King	North	from 22.3m west of Caroline to 7.7m westerly	Anytime
King	North	from 40m west of Bay to 30m westerly	7:00 a.m. to 4:00 p.m. Monday to Saturday
King	South	18 ft. east of MacNab to 22 ft. easterly	Anytime
King	South	160 ft. east of MacNab to 18 ft. easterly	Anytime"

and by deleting from Section "E" thereof the following item, namely:

"Avondale	West	from 69m north of Mons to Canadian National Railway Main Line	Anytime
East 19 th	West	Concession to 827 ft. south	Anytime"

and by adding to Section "F" thereof the following items, namely:

"King Street	North	from 39.6m west of Jones Street to 10.1m westerly	Anytime
King Street	South	New Mountain Road to 430 feet easterly	Anytime
King Street	Both	Gray Road to 220 feet easterly	Anytime
King Street	North	from 54m west of Grays to 63m westerly	Anytime
King Street	South	from 37m east of New Mountain to 95m easterly	Anytime
King Street	South	Bonita to Grays	Anytime"

and by deleting from Section "G" thereof the following items, namely:

"King St.	South	Reg. Rd. 25 to a point 430' E.	Anytime
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King St.	Both	Reg. Rd. 45 to a point 220' E.	Anytime
King St.	Both	Main St. to Bond St.	Anytime
King St.	North	commencing at a point 117 m west of Grays to a point 54 m west of Grays	Anytime
King St.	South	commencing at a point 37 m east of New Mountain to a point 132 m east of New Mountain	Anytime
King St.	South	Bonita to Grays	Anytime"

and by deleting from Section "G(I)" thereof the following items, namely:

"King	North	26 feet west of East to 24 feet westerly	Anytime
King	Both	Walter to East City Limits	Anytime
King	North	193 feet east of Sanford to 110 feet easterly	Anytime
King	Loading Bay (North Side)	359 feet east of Bay to 173 feet easterly	Anytime
King	Loading Bay (North Side)	95 feet east of John to 30 feet easterly	Anytime
King	North	Rosslyn to Kensington	Anytime
King	North	Fairleigh to a point 52 feet westerly	Anytime
King	North	Dundurn to Strathcona	Anytime
King	North	Gage to Melrose	Anytime
King	North	East Bend to Dunsmure	Anytime
King	North	62.2m east of Barnesdale to Lottridge	Anytime
King	North	51 ft. west of Wentworth to 23 ft. westerly	Anytime
King	North	Locke to Strathcona	Anytime
King	North	Balmoral to Grosvenor	Anytime
King	North	Ottawa to Edgemont	Anytime

King	North	Graham to Rosedale	Anytime
King	North	Rodgers to Cochrane	Anytime
King	North	110 feet east of Emerald to 30 feet easterly	Anytime
King	North	116 feet east of Ferguson to 20 feet easterly	Anytime
King	South	130 feet west of Main to 21 feet westerly	Anytime
King	South	25 ft. west of the west curb line of Belmont to 20 ft. westerly	Anytime
King	South	Delta to Rosslyn	Anytime
King	South	Grant to a point 50 ft. easterly	Anytime
King	South	Province to a point 95 feet westerly	Anytime
King	South	53 ft. west of Wentworth to 28 ft. westerly	Anytime
King	South	Bay to Dundurn	Anytime
King	South	74 ft. west of Hughson to 44 ft. westerly	Anytime
King	South	West Avenue to Wellington	Anytime
King	South	135 ft. east of Belview to 160' east	Anytime
King	South	212 feet west of Main to 28 feet westerly	Anytime
King	South	55 feet east of Glendale to Gage	Anytime
King	South	Melrose to Spadina	Anytime
King	South	Rosslyn to Edgemount	Anytime
King	South	Province to Walter	Anytime
King (South Branch)	South	from 22.2m east of James to 14.6m easterly	3:00 a.m. – 7:00 a.m.
King (South Branch)	South	from 36.8m east of James to 46m easterly	Anytime

King (South Branch)	South	from 82.8m east of James to Hughson	3:00 a.m. – 7:00 a.m.
King (South Branch)	South	Hughson to 25.6m easterly	3:00 a.m. – 7:00 a.m.
King (South Branch)	South	from 25.6m east of Hughson to 16.2m easterly	Anytime
King (South Branch)	South	from 68.3m east of Hughson to 16.2m easterly	3:00 a.m. – 7:00 a.m.
King (South Branch)	South	from 84.5m east of Hughson to John	Anytime"

and by deleting from Section "G(II)" thereof the following items, namely:

"King	South	90 ft. east of Catharine to 70 ft. easterly Lay-by	Anytime
King	North	100 ft. east of John to 21 ft. easterly	Anytime
King	South	153 ft. east of Ferguson to 26 ft. easterly	Anytime
King East	North	20 ft. west of Rosewood to 48 ft. westerly	Anytime
King West	North	87 ft. east of Ray to 57 ft. easterly	Anytime
King West	North	75 ft. west of Hess to 33 ft. westerly	Anytime
King West	North	75 ft. east of Hess to 34 ft. easterly	Anytime
King West	North	75 ft. west of Caroline to 25 ft. easterly	Anytime
King West	North	302 ft. east of Caroline to 90 ft. easterly	7:00 a.m. - 9:00 a.m. Monday to Friday
King West	South	118 ft. east of MacNab to 22 ft. easterly	Anytime
King West	South	160 ft. east of MacNab to 18 ft. easterly	Anytime"

4. Schedule 12 (Permit Parking Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "E" thereof the following items, namely:

"Mars	South	from 9.8m west of Douglas to 6.1m westerly	Anytime
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Tragina	West	from 40.7m north of Dunsmure to 6.1m northerly	Anytime
William	West	from 88m south of Birge to 5.1m southerly	Anytime"

5. Schedule 13 (No Stopping Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "B" thereof the following items, namely:

"King Street	South	from 36m east of Main Street to 7.5m easterly	Anytime
King Street	Both	Peel St. to 22.9m westerly	Anytime
King Street	North	Peel St. to 22.9m easterly	Anytime
King Street	South	Peel St. to 57.6m easterly	Anytime
King Street	Both	Bond St. to west property limits of Dundas District High School	Anytime
King Street	North	from 18.3m west of Sydenham Street to 606.6m westerly	Anytime
King Street	North	132m east of Sydenham St. to 16.5m easterly	6:00 p.m. – 6:00 a.m.
King Street	South	Peel Street to 50 feet west	Anytime"

and by adding to Section "E" thereof the following items, namely:

"East 18 th	East	from 83m south of Concession to 20.9m southerly	Anytime
East 18 th	East	from 143.9m south of Concession to 13.1m southerly	Anytime
East 19 th	West	Concession to 17.1m southerly	Anytime
East 19 th	West	from 175.3m south of Concession to 9.1m southerly	Anytime
King	South	40 ft. west of Catharine to 73 ft. westerly	Anytime
King	Both	Dundurn to 200 ft. west of Hwy 403 Bridge	Anytime
King	Both	100 ft. west of Dundurn to 100 ft. east	Anytime

King	Both	300 ft. east of Kenilworth to 300 ft. west of Kenilworth	Anytime
King	North	Paradise to 211 ft. east	Anytime
King	North	from 137 ft. west of Sanford to 75 ft. westerly	Anytime
King	North	Pearl to 100 ft. east	Anytime
King	North	150 ft. east of Sherman to 100 ft. westerly	Anytime
King	North	Barnesdale to 86 ft. east	Anytime
King	North	Belmont to Balmoral	Anytime
King	South	Fairleigh to 74 ft. easterly	Anytime
King	South	Catharine to James	Anytime
King	South	Barnesdale to a point 98 feet easterly	Anytime
King	South	Paradise to 281 ft. east	Anytime
King	North	Kensington to Belmont	Anytime
King	South	(North Leg) James to John	Anytime
King	South	Catharine to 75 ft. east	Anytime
King	South	Steven to 143 ft. easterly	Anytime
King	South	Sherman to 100 ft. west	Anytime
King	South	James to 65. ft. west	Anytime
King	South	from 101 ft. west of James to 118 ft. westerly	Anytime
King	South	Wentworth to a point 273 feet easterly	Anytime
King	South	from 113 feet east of Mary to 52 ft. easterly	Anytime
King	North	Garfield to 62 feet easterly	Anytime
King	South	Garfield to 58 feet easterly	Anytime
King	South	West to 50 feet easterly therefrom	Anytime

King	South	South Branch) James to 22.2m easterly	Anytime
King	South	Bay to Dundurn	7:00 a.m. to 9:00 a.m. Monday to Friday
King	North	Loading Bay, from 95 feet east of John to 30 feet easterly	7:00 a.m. to 9:00 a.m. Monday to Friday
King	South	Delta to Wellington	7:00 a.m. to 9:00 a.m. Monday to Friday
King	North	Victoria to East City Limits	7:00 a.m. to 9:00 a.m. Monday to Friday
King	North	Loading Bay, from 95 feet east of John to 30 feet easterly	4:00 p.m. to 6:00 p.m. Monday to Friday
King	South	East Avenue to Wellington Limits	4:00 p.m. to 6:00 p.m. Monday to Friday
King	South	MacNab to Dundurn	4:00 p.m. to 6:00 p.m. Monday to Friday
King	South	Sanford to Wentworth	4:00 p.m. to 6:00 p.m. Monday to Friday
King	South	Glendale to Spadina	4:00 p.m. to 6:00 p.m. Monday to Friday
King	South	Delta to East City Limits	4:00 p.m. to 6:00 p.m. Monday to Friday
King	North	Queen to Paradise	4:00 p.m. to 6:00 p.m. Monday to Friday
King	North	Mary to Caroline	4:00 p.m. to 6:00 p.m. Monday to Friday
King	North	Victoria to Main	4:00 p.m. to 6:00 p.m. Monday to Friday
King	South	from 205 ft. east of Paradise to 221 ft. east of Macklin	4:00 p.m. to 6:00 p.m." Monday to Friday

and by adding to Section "F" thereof the following items, namely:

"King Street	North	Applewood to Manor	Anytime
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King Street	North	from 48 m west of Manor Place to 30m east of Manor Place	Anytime
King Street	South	Walkers/Village Green to Wardrope	Anytime
King Street	Both	New Mountain to Grays	7:00 a.m. to 9:00 a.m. Monday to Friday
King Street	South	Elm to New Mountain	4:00 p.m. to 6:00 p.m. Monday to Friday
King Street	Both	New Mountain to Grays	4:00 p.m. to 6:00 p.m." Monday to Friday

and by deleting from Section "G" thereof the following items, namely:

"Reg. Rd. 308 (King St.)	Both	Peel St. to 75 ft. westerly	Anytime
Reg. Rd. 308 (King St.)	Both	Bond St. to west property limits of Dundas District High School	Anytime
Reg. Rd. 308 (King St.)	North	Peel St. to 75 ft. easterly	Anytime
Reg. Rd. 308 (King St.)	North	60 ft. west of Sydenham St. to 1990 ft. westerly	Anytime
Reg. Rd. 308 (King St.)	South	Peel St. to 189 ft. easterly	Anytime
Reg. Rd. #412 (King Street)	North	Applewood to Manor	Anytime
Reg. Rd. 412 (King St.)	North	commencing at a point 48 m west of Manor Place to a point 30 m east of Manor Place	Anytime
Reg. Rd. 412 (King St.)	South	Walkers/Village Green to Wardrope	Anytime
King	North	Hess to 50 ft. west	Anytime
King	South	40 ft. west of Catharine to 73 ft. westerly	Anytime
King	Both	Dundurn to 200 ft. west of Highway 403 Bridge	Anytime

King	Both	100 ft. west of Dundurn to 100 ft. east	Anytime
King	Both	300 ft. east of Kenilworth to 300 ft. west of Kenilworth	Anytime
King	North	Paradise to 211 ft. east	Anytime
King	North	Commencing 137 ft. west of Sanford to a point 75 ft. westerly therefrom	Anytime
King	North	Pearl to 100 ft. east	Anytime
King	North	150 ft. east of Sherman to 100 ft. west	Anytime
King	North	Barnesdale to 86 ft. east	Anytime
King	North	Belmont to Balmoral	Anytime
King	South	Fairleigh to 74 ft. easterly	Anytime
King	South	Catharine to James	Anytime
King	South	Barnesdale to a point 98 feet easterly therefrom	Anytime
King	South	Paradise to 281 ft. east	Anytime
King	South	Queen to 175 ft. easterly	Anytime
King	North	Kensington to Belmont	Anytime
King (Northleg)	South	James to John	Anytime
King	South	Catharine to 75 ft. east	Anytime
King	South	Steven to 143 ft. easterly	Anytime
King	South	100 ft. west of Sherman to Sherman	Anytime
King	South	James to 65. ft. west	Anytime
King	South	from 101 ft. west of James to 118 ft. westerly	Anytime
King	South	Wentworth to a point 273 feet easterly therefrom	Anytime

King	South	commencing 113 feet east of Mary and extending 52 ft. easterly therefrom	Anytime
King (Reg.Rd.#308)	North	433 ft. east of Sydenham St. to 54 ft. easterly	6:00 pm – 6:00 am
King	North	Garfield to 62 feet easterly	Anytime
King	South	Garfield to 58 feet easterly	Anytime
King	South	West to 50 feet easterly therefrom	Anytime
King (South Branch)	South	James to 22.2m easterly	Anytime
Reg. Rd. 412 (King St.)	North	New Mountain to Grays	Mon. – Fri. 7:00 am – 9:00 am
Reg. Rd. 412 (King St.)	South	New Mountain to Grays	Mon. – Fri. 7:00 am – 9:00 am
King	South	Bay to Dundurn	Mon. – Fri. 7:00 am – 9:00 am
King	Both	New Mountain to Grays	Mon. – Fri. 7:00 am – 9:00 am
King	Loading Bay on North side	Commencing at a point 95 feet east of John to a point 30 feet easterly therefrom	Mon. – Fri. 7:00 am – 9:00 am
King	South	Delta to Wellington	Mon. – Fri. 7:00 am – 9:00 am
King	North	Victoria to East City Limits	Mon. – Fri. 7:00 am – 9:00 am
Reg. Rd. 412 (King St.)	North	New Mountain to Grays	Mon. – Fri. 4:00 pm – 6:00 pm
Reg. Rd. 412 (King St.)	South	New Mountain to Grays	Mon. – Fri. 4:00 pm – 6:00 pm
Reg. Rd. 412 (King Street)	South	Elm to New Mountain	Mon. – Fri. 4:00 pm – 6:00 pm

King	South	205 ft. east of Paradise to 221 ft. east of Macklin	Mon. – Fri. 4:00 pm – 6:00 pm
King	Both	New Mountain to Grays	Mon. – Fri. 4:00 pm – 6:00 pm
King	Loading Bay on North Side	Commencing at a point 95 feet east of John to a point 30 feet easterly therefrom	Mon. – Fri. 4:00 pm – 6:00 pm
King	South	East Avenue to Wellington	Mon. – Fri. 4:00 pm – 6:00 pm
King	South	MacNab to Dundurn	Mon. – Fri. 4:00 pm – 6:00 pm
King	South	Sanford to Wentworth	Mon. – Fri. 4:00 pm – 6:00 pm
King	South	Glendale to Spadina	Mon. – Fri. 4:00 pm – 6:00 pm
King	South	Delta to East City Limits	Mon. – Fri. 4:00 pm – 6:00 pm
King	North	Queen to Paradise	Mon. – Fri. 4:00 pm – 6:00 pm
King	North	Mary to Caroline	Mon. – Fri. 4:00 pm – 6:00 pm
King	North	Victoria to Main	Mon. – Fri. 4:00 pm – 6:00 pm
King	South	Hughson to Queen	Mon. – Fri. 12:00 pm – 6:00 pm
Reg. Rd. 308 (King St.)	South	50 feet west of Peel Street to 75 feet west of Peel Street	Anytime"

6. Schedule 14 (Wheelchair Loading Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "E" thereof the following items, namely:

"East 18 th	East	from 103.9m south of Concession to 12m southerly	Anytime
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East 19th West from 116.5m south of Concession 8:00 a.m. to 4:00 p.m."
to 21.9m southerly Monday to Friday

and by deleting from Section "E" thereof the following item, namely:

"East 19th West 70 feet 378 feet south of 7:00 a.m. - 6:00 p.m."
Concession Monday to Saturday

7. Schedule 16 (Taxi Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "E" thereof the following item, namely:

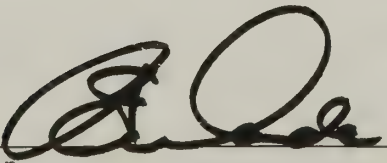
"East 19th West from 55.6m south of Concession 8:00 a.m. to 4:00 p.m."
to 14.6m southerly Monday to Friday

and by deleting from Section "E" thereof the following item, namely:

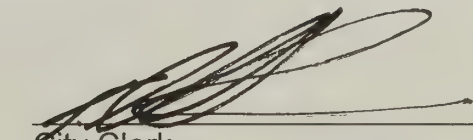
"East 19th West 50 feet 176 feet south of 7:00 am - 6:00 pm"
Monday to Friday

8. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-218, including all Schedules thereto, as amended, is hereby confirmed unchanged.
9. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and ENACTED this 26th day of February, 2003.



Mayor



City Clerk

THE CITY OF HAMILTON

BY-LAW NO. 03- 049

To Confirm the Proceedings of City Council at its meeting held on February 26, 2003

THE COUNCIL OF THE
CITY OF HAMILTON
ENACTS AS FOLLOWS:

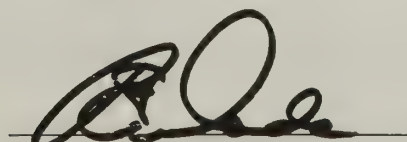
1. The Action of City Council at its meeting held on the 26th day of February, 2003 in respect of each recommendation contained in:

Report 03-005 of the Committee of the Whole,
Report 03-007 of the Hearings Sub-Committee,
Report 03-008 of the Hearings Sub-Committee,

considered by City of Hamilton Council at the said meeting, and in respect of each motion, resolution and other action passed and taken by the City Council at its said meeting, is, except where prior approval of the Ontario Municipal Board is required, hereby adopted, ratified and confirmed.

2. The Mayor of the City of Hamilton and the proper officials of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required, and except where otherwise provided, the Mayor and the City Clerk are hereby directed to execute all documents necessary in that behalf, and the City Clerk is hereby authorized and directed to affix the Corporate Seal of the Corporation to all such documents.

PASSED and ENACTED this 26th day of February, 2003



MAYOR



CITY CLERK

CA4 ON HBL A08
B91
2003

Authority: Item 1, Hearings Sub-Committee
Report 03-007 (PD03003)
CM: February 26, 2003

Bill No. 050

CITY OF HAMILTON

BY-LAW NO. 03-050

To Amend Zoning By-law No. 3692-92 (Stoney Creek) Respecting Lands Located at Galileo Drive and Pisa Drive Owned by DiCenzo Construction Company Limited

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the City of Stoney Creek" and is the successor to the former Regional Municipality, namely, The Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 3692-92 (Stoney Creek) was enacted on the 8th day of December, 1992, and approved by the Ontario Municipal Board on the 31st day of May, 1994;

AND WHEREAS this by-law is in conformity with the Official Plan of the City of Hamilton (formerly the City of Stoney Creek Official Plan), approved by the Minister under the Planning Act on May 12, 1986;

AND WHEREAS it is intended to change the zoning of the lands hereinafter referred to, and to establish special requirements under Subsections 6.3.7 and 6.7.7 of By-law No. 3692-92 (Stoney Creek), passed on the 8th day of December, 1992 and approved by the Ontario Municipal Board by Order dated the 31st day of May, 1994.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Map No. 2 of Schedule "A", appended to and forming part of By-law No. 3692-92 (Stoney Creek) is amended as follows:
 - (a) by changing from the Neighbourhood Development "ND" Zone to the site-specific Single Residential "R2-50" Zone, the lands comprised of Block "1";

- (b) by changing from the Neighbourhood Development "ND" Zone to the site-specific Residential "R6-2" Zone, the lands comprised of Block "2"; and,
- (c) by changing from the Neighbourhood Development "ND" Zone to the Multiple Residential "RM2" Zone, the lands comprised of Block "3";

the extent and boundaries of which Blocks "1", "2" and "3" are shown on a plan hereto annexed as Schedule "A".

- 2. That Subsection 6.3.7, "Special Exemptions" of Section 6.3, Single Residential "R2" Zone, of Zoning By-law No. 3692-92, be amended by adding a new special exemption, "R2-50", as follows:

"R2-50 Southeast Corner of Copes Lane and Jones Road, Schedule "A", Map No. 2

Notwithstanding the provisions of Paragraphs (b), (c), (d) and (g) of Section 6.3.3 of Zoning By-law No. 3692-92, the following shall apply:

- (1) Minimum Lot Frontage: 16.0 metres
- (2) Minimum Front Yard: 4.5 metres, except 5.8 metres to an attached garage or carport
- (3) Minimum Side Yard: No part of any dwelling shall be located closer than 1.2 metres to a side lot line, except that where no attached garage or attached carport is provided, the minimum side yard on one (1) side shall be 3.0 metres
- (4) Maximum Lot Coverage: 50 percent";

- 3. That Subsection 6.7.7, "Special Exemptions" of Section 6.7, Residential "R6" Zone, of Zoning By-law No. 3692-92, be amended by adding a new special exemption, "R6-2", as follows:

"R6-2, Galileo Drive and Pisa Drive, Schedule "A", Map No. 2

Notwithstanding Section 6.7.2 of Zoning By-law No. 3692-92, the permitted uses for each lot on these lands shall only include the following:

- (a) Single detached dwellings and semi-detached dwellings fronting onto a private road
- (b) A single detached dwelling
- (c) A semi-detached dwelling

Notwithstanding the provisions of Paragraphs (a) and (b) of Section 6.7.3 of Zoning By-law No. 3692-92, the total number of dwelling units permitted on the lands zoned "R6-2" shall be 57.

Notwithstanding the provisions of Paragraphs (a) and (b) of Section 6.7.3 of Zoning By-law No. 3692-92, the following regulations shall apply to single detached dwellings and semi-detached dwellings fronting onto a private road:

- (1) Minimum Lot Area: 3,600 square metres
- (2) Minimum Lot Frontage: 35.0 metres
- (3) Minimum Yard Abutting a Street: 3.0 metres
- (4) Minimum Side Yard: 7.5 metres
- (5) Minimum Rear Yard: 3.0 metres
- (6) Minimum Distance Between Buildings on the Same Lot: 2.4 metres between end walls, and 11.0 metres between an end wall and a rear wall or front wall
- (7) Minimum Distance Between a Front Wall and an Internal Driveway: 3.5 metres, except 5.8 metres to an attached garage or carport
- (8) Maximum Building Height: 11.0 metres
- (9) Maximum Lot Coverage: 35 percent
- (10) Privacy Area: Notwithstanding the yard requirements above, each dwelling unit shall have at least one (1) area, which serves as a privacy area, which shall be adjacent to the dwelling and shall have a minimum depth of 4.5 metres
- (11) Minimum Landscaped Open Space:
 - a. Not less than forty-five percent (45%) of the lot area shall be landscaped, including privacy areas
 - b. Not less than 1.5 metres of landscaped strip shall be provided between any privacy area and any lot line
 - c. A landscaped strip, having a minimum width of 3.0 metres, shall be provided adjacent to every portion of any lot that abuts a street, except for points of ingress and egress
- (12) Minimum Number of Parking Spaces: two (2) parking spaces and 0.5 visitor parking spaces for each dwelling unit. Tandem Parking is permitted for non-visitor parking spaces

Notwithstanding the provisions of Paragraphs (a)(1)(3)(4)(5) and (7) of Section 6.7.3 of Zoning By-law No. 3692-92, the following regulations shall apply to a single detached dwelling:

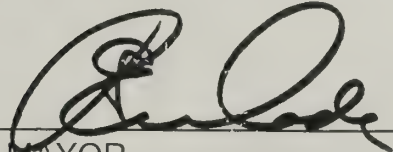
- (1) Minimum Interior Lot Area: 290 square metres
- (2) Minimum Front Yard: 4.5 metres, except 5.8 metres to an attached garage or carport
- (3) Minimum Side Yard: No part of any dwelling shall be located closer than 1.2 metres to a side lot line, except that where no attached garage or attached carport is provided, the minimum side yard on one (1) side shall be 3.0 metres
- (4) Minimum Rear Yard: 7.0 metres
- (5) Maximum Lot Coverage: 50 percent

Notwithstanding the provisions of Paragraphs (b)(1)(2)(3)(4)(5) and (7) of Section 6.7.3 of Zoning By-law No. 3692-92, the following regulations shall apply to a semi-detached dwelling:

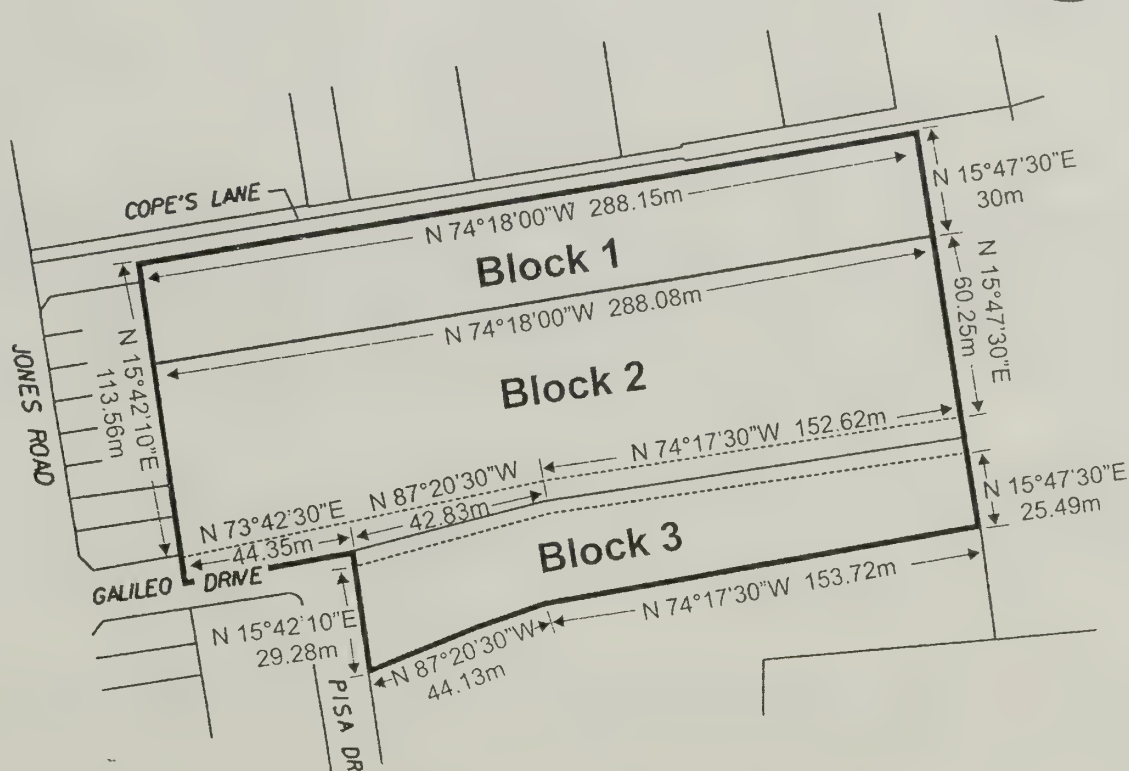
- (1) Minimum Interior Lot Area, Undivided Semi-Detached Lot: 410 square metres
- (2) Minimum Interior Lot Area, Divided Semi-Detached Lot: 205 square metres
- (3) Minimum Interior Lot Frontage, Undivided Semi-Detached Lot: 15.2 metres
- (4) Minimum Interior Lot Frontage, Divided Semi-Detached Lot: 7.6 metres
- (5) Minimum Front Yard: 4.5 metres, except 5.8 metres to an attached garage or carport
- (6) Minimum Side Yard: No part of any dwelling shall be located closer than 1.2 metres to a side lot line, except that where no attached garage or attached carport is provided, the minimum side yard on one (1) side shall be 3.0 metres; no side yard is required along the common wall separating the two dwelling units
- (7) Minimum Rear Yard: 7.0 metres
- (8) Maximum Lot Coverage: 50 percent"

4. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

PASSED and ENACTED this 5th day of March, 2003.


MAYOR
CLERK

ZAC-02-75
DiCenzo Construction Company Limited



This is Schedule "A" to By-Law No. 03-050

Passed the 5th day of March, 2003

[Signature]
 Clerk

[Signature]
 Mayor

Schedule "A"

Map Forming Part of
 By-Law No. 03-050
 to Amend By-Law No. 3692-92



Hamilton

Planning and Development Department

Legend

- Subject Property
- Block 1 - From the Neighbourhood Development "ND" Zone to the site-specific Single Residential "R2-50" Zone
- Block 2 - From the Neighbourhood Development "ND" Zone to the site-specific Single Residential "R6-2" Zone
- Block 3 - From the Neighbourhood Development "ND" Zone to the Multiple Residential "RM2" Zone

North



Scale
 NOT TO SCALE

Date
 February 27, 2003

Reference File No.
 ZAC-02-75 / 257-200018

Drawn By
 L.M.M

CA4 DN HBL A08
B91
2003

Authority: Item 19, March 4, 2003
Committee of the Whole
CM: March 5, 2003

Bill No. 051

CITY OF HAMILTON

BY-LAW NO. 03-051

**BEING A BY-LAW TO STOP UP, CLOSE AND SELL THE LANDS FORMING
THE PUBLIC WALKWAY COMPOSED OF BLOCK Y, GLENDALE ESTATES
NO. 2, PHASE 5, REGISTERED PLAN M-64, IN THE CITY OF HAMILTON,
MORE PARTICULARLY DESCRIBED AS PARTS 1, 2 AND 3 ON
REGISTERED REFERENCE PLAN 62R-16298**

WHEREAS the Council of the City of Hamilton is empowered under Sections 31, 34 and 41 of the Municipal Act, 2001, S.O. 2001, c.25 as amended, to establish and lay out, widen, alter, divert, stop-up, lease, close, sell or retain any highway or part of a highway;

AND WHEREAS the Council of the City of Hamilton on January 9, 2002, in adopting Item 2 of Hearings Sub-Committee Report 02-001 authorized the City to stop up, close and sell the public walkway composed of Block Y, Glendale Estates No. 2, Phase 5, Registered Plan M-64, in the City of Hamilton, more particularly described as Parts 1, 2 and 3 on Registered Reference Plan 62R-16298, and known municipally as the public walkway between 166 and 170 St. Andrews Drive, in the City of Hamilton.

AND WHEREAS the public walkway is a highway under the jurisdiction of the City of Hamilton;

AND WHEREAS notice of the City's intention to pass this By-law has been published for four consecutive weeks in the Hamilton Spectator, a newspaper having general circulation in the City of Hamilton;

AND WHEREAS the Council of the City of Hamilton, through its Hearings Sub-Committee has heard all persons who applied to be heard, no matter whether in objection to or in support of this By-law;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That the walkway between 166 and 170 St. Andrews Drive, Hamilton, described as:

PIN 17102-0392(LT)

Block Y, Glendale Estates No. 2, Phase 5

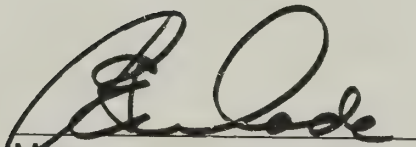
Registered Plan M-64, in the City of Hamilton,
More particularly described as Parts 1, 2 and 3 on
Registered Reference Plan 62R-16298

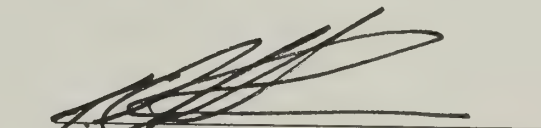
Being all of the PIN

is hereby stopped up and closed.

2. That the soil and freehold in the said walkway between 166 and 170 St. Andrews Drive, hereby stopped up and closed, be sold to Kevin Ashley Rudd and Amy Agnes Rudd for the sum of One Dollar (\$1.00).
3. That this by-law shall come into force and effect on the date of its registration in the Land Registry Office for the Registry Division of Wentworth (No. 62).

PASSED AND ENACTED on this 5th day of March, 2003.



Mayor

City Clerk

CA4 DN HBL A08
B91
2003

Authority: Item 8, Committee of the Whole
Report 02-037 (PD02222)
CM: November 13, 2002

Bill No. 052

City of Hamilton

BY-LAW NO. 03-052

To Designate:

**LAND LOCATED AT MUNICIPAL NO. 163 JACKSON STREET WEST, CITY
OF HAMILTON**

As Property of:

HISTORIC AND ARCHITECTURAL VALUE AND INTEREST

WHEREAS the Council of the City of Hamilton did give notice of its intention to designate the property mentioned in section 1 of this by-law in accordance with subsection 29(3) of the Ontario Heritage Act, R.S.O. 1990, Chapter 0.18;

AND WHEREAS no notice of objection was served on the City Clerk as required by subsection 29(5) of the said Act;

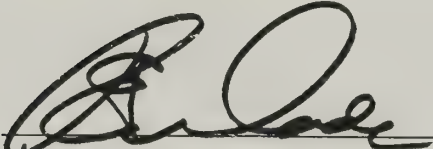
AND WHEREAS it is desired to designate the property mentioned in section 1 of this by-law in accordance with clause 29(6)(a) of the said Act.

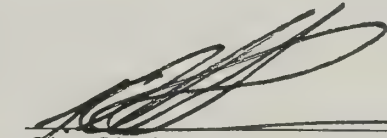
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. The property located at Municipal No. 163 Jackson Street West, Hamilton, Ontario and more particularly described in Schedule "A" hereto annexed and forming part of this by-law, is hereby designated as property of historic and architectural value and interest.
2. The Corporate Counsel is hereby authorized and directed to cause a copy of this by-law, together with reasons for the designation set out in Schedule "B" hereto annexed and forming part of this by-law, to be registered against the property affected in the proper registry office.
3. The City Clerk is hereby authorized and directed,
 - (i) to cause a copy of this by-law, together with reasons for the designation, to be served on The Ontario Heritage Foundation by personal service or by registered mail;

- (ii) to publish a notice of this by-law once in a newspaper having general circulation in the City of Hamilton.

PASSED and enacted this 5th day of March, 2003.



Mayor

City Clerk

CA4 ON HBL A08
B91
2003

Authority: Item 14, Committee of the Whole
Report 01-003 (FCS01007)
CM: February 6, 2001

Bill No. 053

CITY OF HAMILTON

BY-LAW NO. 03-053

**To Amend By-law No. 01-218, as amended,
Being a By-law To Regulate On-Street Parking**

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-218 to regulate on-street parking;

AND WHEREAS it is necessary to amend By-law No. 01-218, as amended;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 2 (Through Highways) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "E" thereof the following items, namely:

"Hunter Street	easterly limit of Queen Street	easterly limit of Hess Street
Hunter Street	westerly limit of Caroline Street	easterly limit of Catharine Street," except at the intersections of John, James and Bay Streets

and by deleting from Section "E" thereof the following item, namely:

"Hunter Street	easterly limit of Queen Street	easterly limit of Catharine Street," except at the intersections of John, James and Bay Streets
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2. Schedule 6 (Time Limit Parking) of By-law No. 01-218, as amended, is hereby further amended by adding to of Section "C" thereof the following item, namely:

"Braeheid Ave.	West	from 137.4m south of the extended south curb line of Rockhaven Lane to 76.5m southerly	15 min 8 am – 4:30 pm Mon-Fri" Sept-June
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and by deleting from Section "C" thereof the following item, namely

"Braeheid Ave.	West	from 137.4m south of the extended south curb line of Rockhaven Lane to 76.5m southerly	8:00 a.m. to 4:30 p.m." Monday to Friday September to June
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3. Schedule 8 (No Parking Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "E" thereof the following items, namely:

"Hunter	North	Hunter to Caroline	2:00 a.m. to 5:00 a.m.
Mulberry	South	Bay to 12m easterly	Anytime
Parkdale	East	from 60.7m north of Dunsmure to 9.1m northerly	Anytime"

and by deleting from Section "E" thereof the following items, namely:

"Mulberry	South	Bay to 62 feet east	Anytime
Parkdale	East	from 60.7m north of Dunsmure to 9.1m	Anytime"

4. Schedule 12 (Permit Parking Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "E" thereof the following items, namely:

"Hunter	South	from 2.3m east of the extended east curb line of Spring to 5.1m easterly	Anytime
Mulberry	South	from 12m east of Bay to 24m easterly	Anytime
West 19 th	West	from 7m south of Bendamere to 6.4m southerly	Anytime"

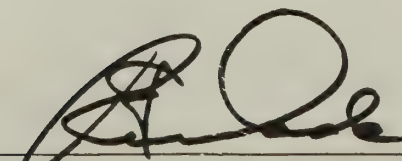
and by deleting from Section "E" thereof the following items, namely:

"Catharine	East	commencing 166 feet north of Macauley and extending 27 feet northerly therefrom	Anytime
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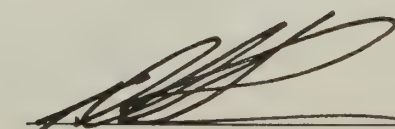
Crestwood	South	commencing at a point 77 feet east of David to a point 20 feet easterly therefrom	Anytime
Crestwood (north leg)	South	commencing 142 feet east of David to a point 40 feet easterly therefrom	Anytime
East 25 th	East	Franklin to Darcy	Anytime
Emerald	East	commencing at a point 101 feet north of the southerly end to a point 20 feet northerly therefrom	Anytime
Emerald	West	commencing at a point 93 feet north of the southerly end to a point 23 feet northerly therefrom	Anytime
Madison	West	commencing at a point 135 feet south of Cannon to a point 20 feet southerly therefrom	Anytime (1 st – 15 th Apr. to Nov. and Dec. to Mar. only)
Mary -	East	from 98 feet south of Macauley and extending 18 feet southerly therefrom	Anytime
Mulberry	South	commencing at a point 63 feet east of Bay to a point 65 feet easterly therefrom	Anytime"

5. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-218, including all Schedules thereto, as amended, is hereby confirmed unchanged.
6. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and ENACTED this 5th day of March, 2003.



Mayor



City Clerk

CA4 ON HBL A08
B91
2003

Authority: Item 9 , Committee of the Whole
Report 03-006 (TOE03024)
CM: March 5, 2003

Bill No. 054

**CITY OF HAMILTON
BY-LAW NO. 03-054
To Amend By-law No. 01-215
Being a By-law to Regulate Traffic**

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

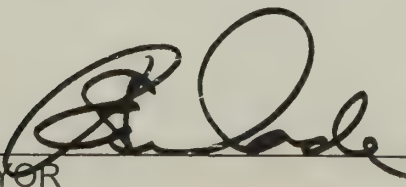
AND WHEREAS it is necessary to amend By-law No. 01-215;

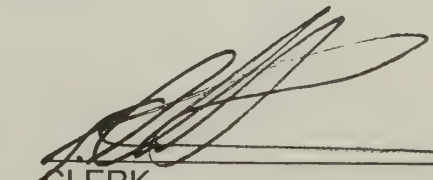
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 5 (Stop Signs) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "E" thereof the following items, namely:

"Hawkswood Northbound Kittyhawk (east intersection)."
2. Subject to the amendment made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED AND ENACTED this 5th day of March, 2003


MAYOR


CLERK

C44 ON HBL A08
BA1
2003

Authority: Item 10, Committee of the Whole
Report 03-006 (TOE03025)
CM: March 5, 2003

Bill No. 055

**CITY OF HAMILTON
BY-LAW NO. 03-055
To Amend By-law No. 01-215
Being a By-law To Regulate Traffic**

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

AND WHEREAS it is necessary to amend By-law No. 01-215;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 5 (Stop Signs) of By-law No. 01-215, as amended, is hereby further amended by [adding or deleting] [from-to] Section "[Section Letter]" thereof the following [item or items], namely:

"Province	Northbound and Southbound	Central"
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2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and ENACTED this 5th day of March, 2003


MAYOR


CLERK

CA4 ONI HBL A08
B91
2003

Authority: Item 11, Committee of the Whole
Report 03-006 (TOE03026)
CM: March 5, 2003

Bill No. 056

**CITY OF HAMILTON
BY-LAW NO. 03-056
To Amend By-law No. 01-215
Being a By-law To Regulate Traffic**

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

AND WHEREAS it is necessary to amend By-law No. 01-215;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 5 (Stop Signs) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "B" thereof the following items, namely:

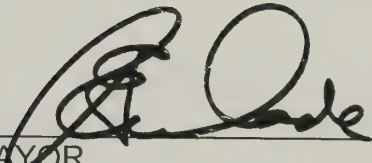
"Switzer Crescent	Westbound	Southbrook Drive (North Intersection)
Switzer Crescent	Westbound	Southbrook Drive (South Intersection)
Southbrook Drive	Southbound	Etherington Crescent (North Intersection)
Etherington Crescent	Westbound	Southbrook Drive (South Intersection)
Riverside Court	Northbound	Southbrook Drive"

**By-law 03-056 to Amend By-law No. 01-215
Being a By-law to Regulate Traffic**

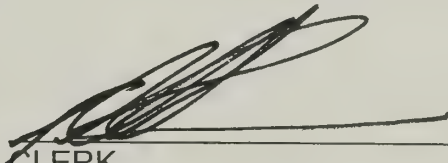
2

2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and ENACTED this 5th day of March, 2003



MAYOR



CLERK

CA4 DN HBL A08
B91
2003

Authority: Item 12, Committee of the Whole
Report 03-006 (TOE03027)
CM: March 5, 2003

Bill No. 057

CITY OF HAMILTON
BY-LAW NO. 03-057
To Amend By-law No. 01-215
Being a By-law To Regulate Traffic

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

AND WHEREAS it is necessary to amend By-law No. 01-215;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 5 (Stop Signs) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "A" thereof the following item, namely:

"Mineral Springs Eastbound and Westbound Binkley"

2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and ENACTED this 5th day of March, 2003



MAYOR



CLERK

CA4 ON HBL A08
B91
2003

Authority: Item 13, Committee of the Whole
Report 03-006 (TOE03028)
CM: March 5, 2003

Bill No. 058

**CITY OF HAMILTON
BY-LAW NO. 03- 058
To Amend By-law No. 01-215
Being a By-law To Regulate Traffic**

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

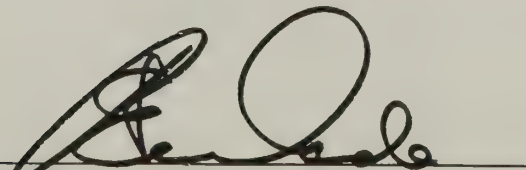
AND WHEREAS it is necessary to amend By-law No. 01-215;

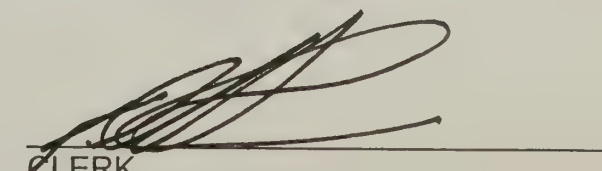
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 5 (Stop Signs) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "A" thereof the following items, namely:

"Valridge Northbound and Southbound Tranquility"
2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and ENACTED this 5th day of March, 2003


MAYOR


CLERK

THE CITY OF HAMILTON

BY-LAW NO. 03-059

To Confirm the Proceedings of City Council at its meeting held on March 5, 2003

THE COUNCIL OF THE
CITY OF HAMILTON
ENACTS AS FOLLOWS:

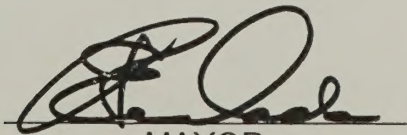
1. The Action of City Council at its meeting held on the 5th day of March, 2003 in respect of each recommendation contained in:

Report 03-006 of the Committee of the Whole,
Report 03-009 of the Hearings Sub-Committee,

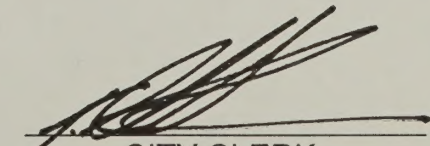
considered by City of Hamilton Council at the said meeting, and in respect of each motion, resolution and other action passed and taken by the City Council at its said meeting, is, except where prior approval of the Ontario Municipal Board is required, hereby adopted, ratified and confirmed.

2. The Mayor of the City of Hamilton and the proper officials of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required, and except where otherwise provided, the Mayor and the City Clerk are hereby directed to execute all documents necessary in that behalf, and the City Clerk is hereby authorized and directed to affix the Corporate Seal of the Corporation to all such documents.

PASSED and ENACTED this 5th day of March, 2003



MAYOR



CITY CLERK

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